

NYS Environmental Facilities Corporation
CWSRF Administrative Draw
Period Ending March 31, 2007

	Thru 2/28/2007	Thru 3/31/2007	This Draw
Personal Service	3,510,514.09	3,996,077.39	485,563.30
Fringe Rate - per allocation plan at 16.93%	594,330.04	676,535.90	82,205.86
Indirect Base	4,104,844.13	4,672,613.29	567,769.16
Indirect Rate - per allocation plan at 22.74%	933,441.56	1,062,552.26	129,110.70
Indirect Rate - assignees personal service	332,354.28	332,354.28	
fringe rate 43.34% <i>DEC</i>	144,042.34	144,042.34	
assignees base <i>data</i>	476,396.62	476,396.62	0.00
Other Direct Program Charges	301,379.96	332,844.19	31,464.23
Total Draw	5,447,998.24	6,176,342.33	728,344.09

Federal	606,953.41
State	121,390.68
Total	728,344.09

300-01	599,233.39
EFC Indirect	129,110.70
Total	728,344.09

For info only



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

OMB CIRCULAR A-87 COGNIZANT AGENCY
NEGOTIATION AGREEMENT

EFC

Page 1 of 2

New York State Environmental
Facilities Corporation
Albany, New York

Date: April 9, 2001

Filing Ref: November 29, 2000

The indirect cost rates contained herein are for use on grants and contracts with the Federal Government to which Office of Management and Budget Circular A-87 applies, subject to the limitations contained in the Circular and in Section II, A below.

SECTION I: RATES

<u>Type</u>	<u>Effective Period</u>		<u>Rate</u>	<u>Base</u>
	<u>From</u>	<u>To</u>		
<u>Fixed:</u>				
Fringe Benefits	4/1/1998	3/31/1999	16.93%	(a)
Indirect Costs	4/1/1998	3/31/1999	22.74%	(b)

Basis for Application

- (a) Salaries and wages.
- (b) Salaries and wages plus applicable fringe benefits costs.

Treatment of Fringe Benefits: Fringe benefits applicable to EFC employees direct salaries and wages should be recovered using the above fringe benefit rate.

SECTION II: GENERAL

A. LIMITATIONS: The rates in this Agreement are subject to any statutory and administrative limitations and apply to a given grant, contract or other agreement only to the extent that funds are available. Acceptance of the rates is subject to the following conditions: (1) Only costs incurred by the department/agency or allocated to the department/agency by an approved cost allocation plan were included in the indirect cost pool as finally accepted; such costs are legal obligations of the department/agency and are allowable under governing cost principles; (2) The same costs that have been treated as indirect costs have not been claimed as direct costs; (3) Similar types of costs have been accorded consistent accounting treatment; and (4) The information provided by the department/agency which was used to establish the rates is not later found to be materially incomplete or inaccurate by the Federal Government. In such situations the rate(s) would be subject to renegotiation at the discretion of the Federal Government.



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

RECEIVED

APR 13 2001

April 9, 2001

NYS ENVIRONMENTAL FACILITIES CORP.
ACCOUNTING UNIT
OFFICE OF
ADMINISTRATION
AND RESOURCES
MANAGEMENT

Mr. Michael D. Malinoski
Controller
New York State Environmental
Facilities Corporation
50 Wolf Road
Albany, New York 12205-2603

Dear Mr. Malinoski:

Enclosed is a negotiation agreement reflecting an understanding reached with you about the indirect cost rates to be used on grants and contracts with the Federal Government.

I have already signed the agreement. Please have the agreement countersigned by a duly authorized representative of your organization. Photocopy the agreement for your files and return the original to me. Please give this matter your immediate attention.

Return the countersigned original agreement as follows:

Mr. John Zabretsky, Manager
Cost and Rate Negotiation Service Center (3802R)
Environmental Protection Agency
1200 Pennsylvania Avenue, N.W.
Washington, D.C. 20460-0001

If you have questions contact David Buntz on (202) 564-4418.

Sincerely yours,

David Buntz, Cost Negotiator
Cost and Rate Negotiation Service Center

Enclosure

APR 13 2001

B. CHANGES. The fixed rate contained in this agreement is based on the organizational structure and the accounting system in effect at the time the proposal was submitted. Changes in the organizational structure or changes in the method of accounting for costs which affect the amount of reimbursement resulting from use of the rate in this agreement, require the prior approval of the authorized representative of the responsible negotiation agency. Failure to obtain such approval may result in subsequent audit disallowances.

C. THE FIXED RATE contained in this agreement is based on the unaudited actual costs incurred during the period for which the rate applies. If corrections are required at a later date, an adjustment will be made in the negotiation following such determination to compensate for the difference between the cost used to establish the fixed rate and that which would have been used were the actual costs known at the time.

D. NOTIFICATION TO FEDERAL AGENCIES: Copies of this document may be provided to other Federal agencies as a means of notifying them of the agreement contained herein.

E. SPECIAL REMARKS: The fixed indirect cost rate listed in Section I above also applies to the labor and fringe benefits of the New York State Civil Service employees who were reassigned from New York Department of Environmental Conservation (DEC) to the Environmental Facilities Corporation (EFC). The fringe benefit rate listed in Section I above does not apply to the New York State Civil Service employees who were reassigned from New York DEC to the EFC. *indirect rate only to EFC employees*

ACCEPTANCE

By the State Agency:

By the Federal Agency:

J. Andra Estus
(Signature)

David Buntz
(Signature)

J. Andra Estus
(Name)

David Buntz, Cost Negotiator
Cost and Rate Negotiation
Service Center
U.S. Environmental
Protection Agency
April 9, 2001

Dir of Ops & Admin
(Title)

NYS Environmental Facilities
(Agency)

4/13/01
(Date)

Negotiated by: David Buntz
Telephone: (202) 564-4418

Is this CW or CW & DW

DESCRIPTION	TOTAL COSTS INCURRED	EXCLUDED/ UNALLOWABLE COSTS	TOTAL ALLOWABLE COSTS	DIRECT COSTS	INDIRECT COSTS
Salaries	4,837,853.42		4,837,853.42	4,084,266.69	753,586.73
Fringe benefits	787,303.28	(31,876.00) *	819,179.28	691,466.35	127,712.93
Equipment	123,125.55		123,125.55	110,565.45	12,560.10
Depreciation	12,586.77	3,372.65	9,214.12		9,214.12
Travel and auto maintenance	58,077.95		58,077.95	56,783.01	1,294.94
Supplies and materials	53,305.96		53,305.96	47,017.95	6,288.01
OGS & NY telephone	78,635.02		78,635.02	70,387.78	8,247.24
Other miscellaneous	59,975.13		59,975.13	53,471.21	6,503.92
Trustee fees	24,610.00		24,610.00	24,610.00	
Postage	37,759.24		37,759.24	34,484.41	3,274.83
Printing	31,494.72		31,494.72	29,883.75	1,610.97
Insurance	12,443.00		12,443.00	11,157.08	1,285.92
Consultants	47,944.33		47,944.33	44,153.18	3,791.15
Subscriptions, publications	18,061.41		18,061.41	16,218.80	1,842.61
Maintenance and repairs	31,411.77		31,411.77	27,917.37	3,494.40
Contractual	28,023.89		28,023.89	28,023.89	
Rent	249,827.00		249,827.00		249,827.00
Restricted Expenses	239,506.67		239,506.67	239,506.67	
Board expense	5,413.27		5,413.27		5,413.27
D&O liability	68,000.00		68,000.00		68,000.00
Interest Exp on SRF bonds payable	182,453,004.31	182,453,004.31			
SRF municipality interest subsidy	73,825,216.46	73,825,216.46			
State assistance payments	21,098,201.10	21,098,201.10			
Cost recovery tax	1,022,775.00	1,022,775.00			
Reimbursable contractual	111,079.77	111,079.77			
DWSRF reimbursable expenses	458,072.69	458,072.69			
Total expense per general ledger	285,773,707.71	278,939,845.98	6,833,861.73	5,569,913.59	1,263,948.14
Statewide cost allocation plan	103,819.00		103,819.00		103,819.00
Total expense	285,877,526.71	278,939,845.98	6,937,680.73	5,569,913.59	1,367,767.14

* This amount was paid for NYS Retirement Expense during this period. However, this amount was not recorded as an expense on EFC's financial statements. The pension liability previously recorded was instead reduced to reflect this payment.

RATE CALCULATIONS

DEC SRF ASSIGNEES SALARIES	985,979.54
DEC ASSIGNEES FRINGE	253,100.95
DIRECT SALARIES	4,084,266.69
DIRECT FRINGE BENEFITS	691,466.35
TOTAL SALARIES & FRINGE BENEFITS	6,014,813.53

TOTAL FRINGE BENEFITS	819,179.28
TOTAL SALARIES	4,837,853.42

TOTAL INDIRECT COSTS 1,367,767.14

FRINGE BENEFIT RATE 16.93%

INDIRECT COST RATE 22.74%



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460
OMB CIRCULAR A-87 COGNIZANT AGENCY
NEGOTIATION AGREEMENT

Page 1 of 2

New York State Department of
Environmental Conservation
Albany, New York

Date: December 14, 2009

Filing Ref: January 14, 2009

The indirect cost rates contained herein are for use on grants contracts with the Federal Government to which Office of Management and Budget Circular A-87 applies, subject to the limitations contained in the Circular and in Section II, A below.

SECTION I: RATES

Type	Effective Period		Rate	Base
	From	To		
Fixed:				
SRF (Staff Reassigned to EFC)	4/1/2010	3/31/2011	8.14%	(a)
All Other DEC Programs	4/1/2010	3/31/2011	27.11%	(a)

Basis for Application

(a) Direct salaries and wages plus applicable fringe benefits costs.

Treatment of Fringe Benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs.

SECTION II: GENERAL

A. LIMITATIONS: The rates in this Agreement are subject to any statutory and administrative limitations and apply to a given grant, contract or other agreement only to the extent that funds are available. Acceptance of the rates is subject to the following conditions: (1) Only costs incurred by the department/agency or allocated to the department/agency by an approved cost allocation plan were included in the indirect cost pool as finally accepted; such costs are legal obligations of the department/agency and are allowable under governing cost principles; (2) The same costs that have been treated as indirect costs have not been claimed as direct costs; (3) Similar types of costs have been accorded consistent accounting treatment; and (4) The information provided by the department/agency which was used to establish the rates is not later found to be materially incomplete or inaccurate by the Federal Government. In such situations the rate(s) would be subject to renegotiation at the discretion of the Federal Government.

B. CHANGES. The fixed rate contained in this agreement is based on the organizational structure and the accounting system in effect at the time the proposal was submitted. Changes in the organizational structure or changes in the method of accounting for costs which affect the amount of reimbursement resulting from use of the rate in this agreement, require the prior approval of the authorized representative of the responsible negotiation agency. Failure to obtain such approval may result in subsequent audit disallowances.

C. THE FIXED RATE contained in this agreement is based on an estimate of the cost which will be incurred during the period for which the rate applies. When the actual costs for such a period have been determined, an adjustment will be made in the negotiation following such determination to compensate for the difference between the cost used to establish the fixed rate and that which would have been used were the actual costs known at the time.

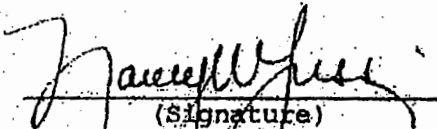
D. NOTIFICATION TO FEDERAL AGENCIES: Copies of this document may be provided to other Federal agencies as a means of notifying them of the agreement contained herein.

E. SPECIAL REMARKS: None

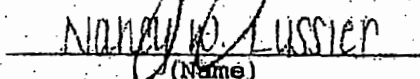
ACCEPTANCE

By the State Agency:

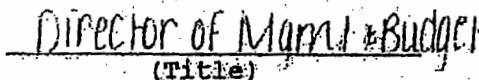
By the Federal Agency:


(Signature)


(Signature)

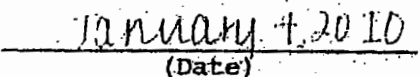

(Name)

Jacqueline Smith, Rate Negotiator
Financial Analysis and
Oversight Service Center
U.S. Environmental
Protection Agency


(Title)

December 14, 2009


(Agency)


(Date)

Negotiated by: Jacqueline Smith
Telephone: (202) 564-5055



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460
OMB CIRCULAR A-87 COGNIZANT AGENCY
NEGOTIATION AGREEMENT

Page 1 of 2

New York State Department of
Environmental Conservation
Albany, New York

Date: January 14, 2009

Filing Ref: March 18, 2008

The indirect cost rates contained herein are for use on grants and contracts with the Federal Government to which Office of Management and Budget Circular A-87 applies, subject to the limitations contained in the Circular and in Section II, A below.

SECTION I: RATES

Type	Effective Period		Rate	Base
	From	To		
Fixed:				
SRF (Staff Reassigned to EFC)	4/1/2009	3/31/2010	9.68%	(a)
All Other DEC Programs	4/1/2009	3/31/2010	29.07%	(a)

Basis for Application

(a) Direct salaries and wages plus applicable fringe benefits costs.

Treatment of Fringe Benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs.

SECTION II: GENERAL

A. LIMITATIONS: The rates in this Agreement are subject to any statutory and administrative limitations and apply to a given grant, contract or other agreement only to the extent that funds are available. Acceptance of the rates is subject to the following conditions: (1) Only costs incurred by the department/agency or allocated to the department/agency by an approved cost allocation plan were included in the indirect cost pool as finally accepted; such costs are legal obligations of the department/agency and are allowable under governing cost principles; (2) The same costs that have been treated as indirect costs have not been claimed as direct costs; (3) Similar types of costs have been accorded consistent accounting treatment; and (4) The information provided by the department/agency which was used to establish the rates is not later found to be materially incomplete or inaccurate by the Federal Government. In such situations the rate(s) would be subject to renegotiation at the discretion of the Federal Government.

New York State Department of
Environmental Conservation
Albany, New York

Page 2 of 2

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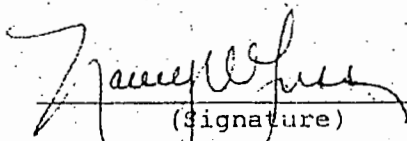
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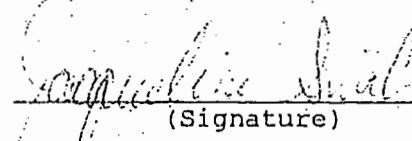
ACCEPTANCE

By the State Agency:


(Signature)
Nancy Lyssier
(Name)
Director of MBS
(Title)
NYSDEC
(Agency)

(Date)

By the Federal Agency:


(Signature)
Jacqueline Smith, Rate Negotiator
Financial Analysis and
Oversight Service Center
U.S. Environmental
Protection Agency

January 14, 2009


Negotiated by: Jacqueline Smith
Telephone: (202) 564-5055

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2

NOV - 8 2006

DATE:

SUBJECT: Operating Agreement for the New York State Clean Water State Revolving Fund between the United States Environmental Protection Agency and the New York State Department of Environmental Conservation

FROM: Walter E. Mugdan, Director 
Division of Environmental Planning and Protection

TO: Alan J. Steinberg, Regional Administrator
Region 2

The Operating Agreement (OA) for the New York State (NYS) Clean Water State Revolving Fund (CWSRF) between the New York State Department of Environmental Conservation (NYSDEC) and the United States Environmental Protection Agency (EPA) expires December 31, 2006.

Enclosed are three copies of the *Amended and Restated OA for the Organization and Administration of the New York State Clean Water State Revolving Fund* that was signed on October 11, 2006, by Denise M. Sheehan, Commissioner, NYSDEC. As per Commissioner Sheehan's letter, dated October 12, 2006, she requested that if this amended OA meets your approval, please execute and return two executed copies to the NYSDEC for their files.

The changes that were made were for the purpose of updating the OA from its last update of September 14, 1994. There are no changes to the most basic part of the document, that is, the Memorandum of Understanding with the New York State Department of Environmental Conservation/New York State Environmental Facilities Corporation.

The changes that were made were programmatic. The OA needed to consistently refer to the program as the Clean Water State Revolving Fund (CWSRF) program instead of the State Revolving Fund (SRF) program since there now is a Drinking Water State Revolving Fund (DWSRF) program in addition to the CWSRF program. (Note: there was no need to change the MOU since the MOU refers to the program by its formal name of the New York State Water Pollution Control Revolving Fund.) Instead of referring to the Water Management Division (WMD), the OA now refers to the Division of Environmental Planning and Protection (DEPP). Similarly, changes in NYSDEC/NYSEFC organizational names and functions were updated in the revised OA. Former financial industry standard documents for Project Finance Agreements were replaced with currently used financial industry standards. Cash draw procedures were updated to incorporate electronic transfers. The list of Federal Authorities applicable to equivalency projects in 1994 was updated to the current list. The OA incorporates consideration of Section 319 projects (nonpoint source pollution control projects) and Section 320 projects (estuary conservation and management plans and projects), considerations that have been approved and used for several years in the Intended Use Plan. Finally the OA includes the provisions of the State Environmental Quality Review Act (SEQR) as adopted on September 20, 1995 (effective January 1, 1996) and on amended June 26, 2000 (effective July 12, 2000).

It is recommended that the attached three copies of the Amended and Restated OA be signed and that the three signed copies be returned to me for distribution. The OA shall be effective upon execution and shall remain in effect until December 31, 2012.

Should your staff have any questions, please contact Walter Andrews, Water Programs Branch Chief at 7-3880 or Steve Vida, State Revolving Fund Program Team Leader at 7-3862.

Attachments

copy in
OA

bcc: Kevin Brick, DEPP, DD
Walter Andrews, DEPP, WPB
Steve Vida, DEPP, WPB, SRFT
Section files



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

WASHINGTON, D.C. 20460

OMB CIRCULAR A-87 COGNIZANT AGENCY

NEGOTIATION AGREEMENT

Page 1 of 2

New York State Department of
Environmental Conservation
Albany, New York

Date: January 14, 2009

Filing Ref: March 18, 2008

The indirect cost rates contained herein are for use on grants and contracts with the Federal Government to which Office of Management and Budget Circular A-87 applies, subject to the limitations contained in the Circular and in Section II, A below.

SECTION I: RATES

<u>Type</u>	<u>Effective Period</u>		<u>Rate</u>	<u>Base</u>
	<u>From</u>	<u>To</u>		
Fixed:				
SRF (Staff Reassigned to EFC)	4/1/2009	3/31/2010	9.68%	(a)
All Other DEC Programs	4/1/2009	3/31/2010	29.07%	(a)

Basis for Application

(a) Direct salaries and wages plus applicable fringe benefits costs.

Treatment of Fringe Benefits: Fringe benefits applicable to direct salaries and wages are treated as direct costs.

SECTION II: GENERAL

A. LIMITATIONS: The rates in this Agreement are subject to any statutory and administrative limitations and apply to a given grant, contract or other agreement only to the extent that funds are available. Acceptance of the rates is subject to the following conditions: (1) Only costs incurred by the department/agency or allocated to the department/agency by an approved cost allocation plan were included in the indirect cost pool as finally accepted; such costs are legal obligations of the department/agency and are allowable under governing cost principles; (2) The same costs that have been treated as indirect costs have not been claimed as direct costs; (3) Similar types of costs have been accorded consistent accounting treatment; and (4) The information provided by the department/agency which was used to establish the rates is not later found to be materially incomplete or inaccurate by the Federal Government. In such situations the rate(s) would be subject to renegotiation at the discretion of the Federal Government.

NYS DEC
FEB 2009

New York State Department of
Environmental Conservation
Albany, New York

Page 2 of 2

B. CHANGES. The fixed rate contained in this agreement is based on the organizational structure and the accounting system in effect at the time the proposal was submitted. Changes in the organizational structure or changes in the method of accounting for costs which affect the amount of reimbursement resulting from use of the rate in this agreement, require the prior approval of the authorized representative of the responsible negotiation agency. Failure to obtain such approval may result in subsequent audit disallowances.

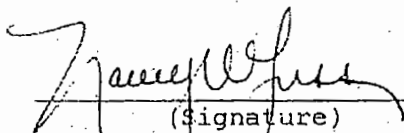
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D. NOTIFICATION TO FEDERAL AGENCIES: Copies of this document may be provided to other Federal agencies as a means of notifying them of the agreement contained herein.

E. SPECIAL REMARKS: None

ACCEPTANCE

By the State Agency:


(Signature)

Nancy Lussier
(Name)

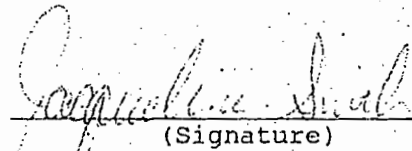
Director of MBS
(Title)

NYSDEC

(Agency)

(Date)

By the Federal Agency:

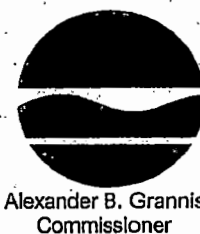

(Signature)

Jacqueline Smith, Rate Negotiator
Financial Analysis and
Oversight Service Center
U.S. Environmental
Protection Agency

January 14, 2009

Negotiated by: Jacqueline Smith
Telephone: (202) 564-5055

New York State Department of Environmental Conservation
Division of Management & Budget Services
Federal Accounting Unit, 10th Floor
625 Broadway, Albany, New York 12233-5022
Phone: (518) 402-9342 • FAX: (518) 402-9023
Website: www.dec.ny.gov



November 5, 2009

Mr. Roch C. Baamonde, Chief
Grants and Contracts Management Branch
U.S. Environmental Protection Agency
Region II
290 Broadway, 29th Floor
New York, NY 10007-1866

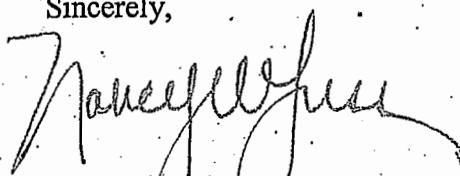
Dear Mr. Baamonde,

Attached for your information and review is our required submittal of Civil Rights form 4700-4, "Preaward Compliance Review Report for All Applicants Requesting Federal Financial Assistance". This submittal is intended to cover each one of the Department grants, for all monetary actions occurring on or after October 1, 2009.

We have made every effort to obtain answers to each of the questions in the form. However, we are not able to provide you with answers to question numbers VI and VII. These grants are generally used to support Department programs that serve all of New York State, rather than a single specific geographic location and/or population. Consequently, questions that deal with a specific community or population are impossible to answer because the Department lacks access to that type of information on a statewide basis.

If you need any additional information on this matter, please contact Michael Giovannone by phone at (518) 402-9376 or e-mail at mxgiovan@gw.dec.state.ny.us.

Sincerely,



Nancy W. Lussier
Director, Management & Budget Services

Enclosure

**United States Environmental Protection Agency
Washington, DC 20460**

**Preaward Compliance Review Report for
All Applicants and Recipients Requesting EPA Financial Assistance**

Note: Read instructions on other side before completing form.

I. Applicant/Recipient (Name, Address, State, Zip Code). New York State Department of Environmental Conservation, 625 Broadway, Albany New York 12233	EPA Project No.
II. Is the applicant currently receiving EPA assistance? (See * instructions on reverse side) Yes	
III. List all civil rights lawsuits and administrative complaints pending against the applicant/recipient that allege discrimination based on race, color, national origin, sex, age, or disability. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.) Four (4) cases pending NYSDHR decision. No determination at this time.	
IV. List all civil rights lawsuits and administrative complaints decided against the applicant/recipient within the last year that allege discrimination based on race, color, national origin, sex, age, or disability and enclose a copy of all decisions. Please describe all corrective action taken. (Do not include employment complaints not covered by 40 C.F.R. Parts 5 and 7. See instructions on reverse side.) <div style="background-color: black; height: 20px; width: 100%;"></div>	
V. List all civil rights compliance reviews of the applicant/recipient conducted by any agency within the last two years and enclose a copy of the review and any decisions, orders, or agreements based on the review. Please describe any corrective action taken. (40 C.F.R. § 7.80(c)(3)) None	
VI.* Does the applicant/recipient provide initial and continuing notice that it does not discriminate on the basis of race, color, national origin, sex, age, or disability in its programs or activities? (40 C.F.R. § 5.140 and § 7.95) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No a. Do the methods of notice accommodate those with impaired vision or hearing? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No b. Is the notice posted in a prominent place in the applicant's offices or facilities or, for education programs and activities, in appropriate periodicals and other written communications? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No c. Does the notice identify a designated civil rights coordinator? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
VII.* Does the applicant/recipient maintain demographic data on the race, color, national origin, sex, age, or handicap of the population it serves? (40 C.F.R. § 7.85(a)) Yes	
VIII.* Does the applicant/recipient have a policy/procedure for providing access to services for persons with limited English proficiency? (40 C.F.R. Part 7, E.O. 13166) Yes	
IX.* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it designated an employee to coordinate its compliance with 40 C.F.R. Parts 5 and 7? Provide the name, title, position, mailing address, e-mail address, fax number, and telephone number of the designated coordinator. N/A	
X* If the applicant/recipient is an education program or activity, or has 15 or more employees, has it adopted grievance procedures that assure the prompt and fair resolution of complaints that allege a violation of 40 C.F.R. Parts 5 and 7? Provide a legal citation or Internet address for, or a copy of, the procedures. N/A	
XI. Will all new facilities or alterations to existing facilities be designed and constructed to be readily accessible to and usable by persons with disabilities? <input checked="" type="checkbox"/> Yes. If no, explain how a regulatory exception (40 C.F.R. § 7.70) applies. <input type="checkbox"/> No	

For the Applicant/Recipient

I certify that the statements I have made on this form and all attachments thereto are true, accurate and complete. I acknowledge that any knowingly false or misleading statement may be punishable by fine or imprisonment or both under applicable law. I assure that I will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized Official 	B. Title of Authorized Official Director, Management & Budget Services	C. Date 11/5/09
--	--	---------------------------

For the U.S. Environmental Protection Agency

I have reviewed the information provided by the applicant/recipient and hereby certify that the applicant/recipient has submitted all information required by 40 C.F.R. Parts 5 and 7; that based on the information submitted, this application satisfies 40 C.F.R. Parts 5 and 7; and that the applicant has given assurance that it will fully comply with all applicable civil rights statutes and EPA regulations.

A. Signature of Authorized EPA Official 	B. Title of Authorized EPA Official 	C. Date
--	--	------------------------



LOBBYING AND LITIGATION CERTIFICATION FOR GRANTS AND COOPERATIVE AGREEMENTS*

INSTRUCTIONS:

*At project completion, complete this form pursuant to the 2001 Department of Veterans Affairs and Housing and Urban Development, and Independent Appropriations Act, Public Law 106-377, Section 424 and 2000 Department of Veterans Affairs and Housing and Urban Development, and Independent Appropriations Act, Public Law 106-74, Section 426 and any other subsequent Appropriation Act requirements.

Please mail this form to your EPA Grant Specialist within 90 days of project completion. DO NOT send this information to the Office of Management & Budget.

Assistance Agreement Number(s):

66-458

I hereby certify that none of these funds have been used to engage in the lobbying of the Federal Government or in litigation against the United States unless authorized under existing law.

Nancy W. Lussier
Signature of the Chief Executive Officer

Nancy W. Lussier, Director, Management & Budget, NYSDEC

Print Name

NOV 10 2009
Date

Burden Statement - The annual public reporting and record keeping burden for this collection of information is estimated to average 5 minutes per respondent. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. The OMB control numbers for EPA's regulations are listed in 40 CFR Part 9 and 48 CFR Chapter 15.

Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Regulatory Information Division, U.S. Environmental Protection Agency, Ariel Rios Building, 1200 Pennsylvania Avenue, N.W., Mail Code 3213A, Washington, DC 20460; and to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, N.W., Washington, DC 20503, Attention: Desk Officer for EPA. Include the EPA ICR number and OMB control number in any correspondence.

**CERTIFICATION REGARDING
DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS**

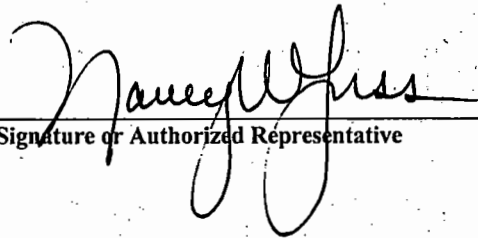
The prospective participant certifies to the best of its knowledge and belief that it and its principals:

- (a) Are not presently debarred, suspended, proposed for debarment, declared ineligible, or voluntarily excluded from covered transactions by any Federal department or agency;
- (b) Have not within a three year period preceding this proposal been convicted of or had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining attempting to obtain, or performing a public (Federal, State, or Local) transaction or contract under a public transaction; violation of Federal of State antitrust statutes or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property;
- (c) Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, or Local) within commission of any of the offenses enumerated in paragraph (1)(b) of this certification; and
- (d) Have not within a three-year period preceding this application/proposal had one or more public transactions (Federal, State, or Local) terminated for cause or default.

I understand that a false statement on this certification may be grounds for rejection of this proposal or termination of the award. In addition, under 18 USC Sec. 1001, a false statement may result in a fine of up to \$10,000 or imprisonment for up to 5 years, or both.

Nancy W. Lussier, Director of Management and Budget, NYSDEC

Typed Name & Title of Authorized Representative



Signature of Authorized Representative

NOV 10 2009

Date

☐ I am unable to certify to the above statements. My explanation is attached.

BUDGET INFORMATION - Non-Construction Programs**SECTION A - BUDGET SUMMARY**

Grant Program Function or Activity (a)	Catalog of Federal Domestic Assistance Number (b)	Estimated Unobligated Funds		New or Revised Budget		
		Federal (c)	Non-Federal (d)	Federal (e)	Non-Federal (f)	Total (g)
1. CWSRF	66.458	\$	\$	\$ 225,050,112	\$ 46,885,440	\$ 271,935,552
2. Administration				9,377,088 <i>20%</i>		9,377,088
3.						
4.						
5. Totals		\$	\$	\$234,427,200	\$46,885,440	\$281,312,640 ✓

SECTION B - BUDGET CATEGORIES

6. Object Class Categories	GRANT PROGRAM, FUNCTION OR ACTIVITY				Total (5)
	(1)	(2)	(3)	(4)	
a. Personnel			4,656,000		4,656,000
b. Fringe Benefits			1,932,000		1,932,000
c. Travel			42,000		42,000
d. Equipment			73,000		73,000
e. Supplies			84,000		84,000
f. Contractual			51,200		51,200
g. Construction	\$271,935,552				271,935,552
h. Other			88,100		88,100
i. Total Direct Charges (sum of 6a-6h)	271,935,552		6,926,300		278,861,852
j. Indirect Charges			1,498,000		1,498,000
k. TOTALS (sum of 6i and 6j)	\$271,935,552	\$	\$8,424,300	\$	\$280,359,852
7. Program Income	\$	\$	\$	\$	\$

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Standard Form 424A (Rev 4-2012)
Prescribed by OMB Circular A-102

SECTION C - NON-FEDERAL RESOURCES					
(a) Grant Program	(b) Applicant	(c) State	(d) Other Sources	(e) TOTALS	
8. CWSRF		\$46,885,440		\$46,885,440	
9.				\$	
10.				\$	
11.				\$	
12. Total (SUM OF LINES 8-11)		\$46,885,440		\$46,885,440	
SECTION D - FORECASTED CASH NEEDS					
13. Federal	Total for 1 st Year	1 st Quarter	2 nd Quarter	3 rd Quarter	4 th Quarter
	\$234,427,200	\$	\$	\$234,427,200	\$
14. Non-Federal	46,885,440			46,885,440	
15. TOTAL (sum of lines 13 and 14)	\$281,312,640	\$	\$	\$281,312,640	\$
SECTION E - BUDGET ESTIMATES OF FEDERAL FUNDS NEEDED FOR BALANCE OF THE PROJECT					
(a) Grant Program	FUTURE FUNDING PERIODS (years)				
	(b) First	(c) Second	(d) Third	(e) Fourth	
16.	\$	\$	\$	\$	
17.					
18.					
19.					
20. TOTAL (sum of lines 16-19)	\$	\$	\$	\$	
SECTION F - OTHER BUDGET INFORMATION					
21. Direct Charges:			22. Indirect Charges:		
23. Remarks:					

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CLEAN WATER STATE REVOLVING FUND PROGRAM
FFY 2010 ADMINISTRATION BUDGET

Grant Funds 4% Administration

FFY 2010 grant 9,377,088

<u>FFY 2009 Projected Expenses</u> <u>Category</u>	<u>Total Eligible</u> <u>Administration</u>	<u>Total</u> <u>Fundable Eligible</u> <u>Administration Cost</u>
Personal Service	4,656,000	
Fringe Benefits (41.49%)	1,932,000	
Travel	42,000	
Equipment	73,000	
Supplies & Materials	84,000	
Contractual Services	51,200	
Other Budget	88,100	
Total Direct Expenses	6,926,300	
Indirect Costs (22.74%)	1,498,000	
Total Expenses	8,424,300	9,377,088

CWSRF FFY10 BREAKDOWN OF ADMIN. PS and NPS EXPENSES

Personal Service Costs:

See attached list 4,656,000

Fringe benefits (41.49%)

1,932,000

Consists of Health insurance, Social Security,
Pensions, Worker's Compensation, Dental
Insurance, Unemployment Insurance,
Vision Benefits, Medicare, Long Term Disability

NPS EXPENSES

Travel

42,000

The Corporation's responsibilities with the Program
will have staff travel to IUP hearings, application
workshops and bond pricing and closings in New York City
for CWSRF bond issues

Equipment

73,000

Computer hardware such as servers (\$2,500 - \$5,000),
CPU's, monitors, back up systems, security appliance for
computer, Storage Area Network (SAN) (\$7,350 - \$17,150),
printer, copiers, etc. 57,500

Office peripherals such as fax machines,
file cabinets, desks and chairs, etc. 15,500

Supplies & Materials

84,000

Office supplies, Computer software, hardware & maintenance

Breakdown of supplies & materials:

Computer software and supplies: toner cartridges, color printer
supplies; software purchase: content management/workflow
(\$24,500 - \$50,000) security software, software updates,
maintenance, etc. 68,700

General office supplies: pens, pencils, copier paper
folders, calendars, calculators, etc. 15,300

CWSRF FFY10 BREAKDOWN OF ADMIN. PS and NPS EXPENSES

Contractual Services		51,200
Consultants		
Other Budget		88,100
Printing of the CWSRF IUP, training, temporary services if needed, insurance, postage, telephone & misc.:		
Printing	8,000	
Training (On going contract): The nature of training would consist of Computer Training, CIFA and Tuition Assistance Program	16,900	
Temporary Services	0	
Insurance: CW share of Auto insurance, computer, Liability and Property insurance	8,900	
Postage	9,800	
Telephone	25,200	
Misc.: Subscriptions, books, journals and any other unforseen program costs.	19,300	
Indirect costs (22.74%)		1,498,000
Grand Total		8,424,300

Note: All items anticipated to be purchased in FFY2010 with a cost over \$5,000 are listed within the Administrative Budget. Prior approval from EPA will be obtained before the purchase of each and every item that has a cost of \$5,000 or more.

New York State Department of Environmental Conservation

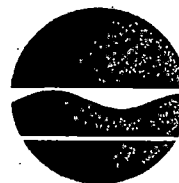
Division of Management & Budget Services

Federal Accounting Unit, 10th Floor

625 Broadway, Albany, New York 12233-1010

Phone: (518) 402-9342 Fax: (518) 402-9023

Website: www.dec.state.ny.us



Alexander B. Grannis
Commissioner

STEPHANIE -

PLEASE HANDLE IN

YVETTE'S ABSENCE.

LOG # 134

(HOL EXTENSION) NOV 10 2009
IS 3574

ENVIRONMENTAL PROTECTION
AGENCY REGION 2
2009 DEC -9 AM 9:55
GRANTS & CONTRACTS
MANAGEMENT BRANCH

Mr. George Pavlou
Acting Regional Administrator
U.S. Environmental Protection Agency
Region II Office
290 Broadway
New York, New York 10007-1866

Attention: Mr. Roch Baamonde, Chief
Grants & Contracts Management Branch

Re: New York Clean Water State Revolving Fund
Capitalization Grant for 2010

Dear Mr. Pavlou:

Enclosed for your review and approval is New York's FFY 2010 Capitalization Grant for the Clean Water State Revolving Fund (CWSRF) Program.

This application requests a total of \$234,427,200 to be used to provide low interest financings to eligible recipients for water quality protection projects.

The State and USEPA are partners in assisting New York's communities and not-for-profit organizations in preventing or abating water pollution problems. The continued cooperation that has been evidenced in the past will help assure the continued success of our mutual efforts.

We appreciate your efforts to review and award this grant application in a timely manner. If you should have any questions about this application call Bill Brizzell or David Bradley of the NYS Environmental Facilities Corporation (EFC) at 518-402-7396.

Sincerely,

Nancy W. Lussier
Director of Management and Budget

Enclosures: a/s

c: Mr. Andrews, USEPA - Region II
Mr. Vida, USEPA - Region II

**NEW YORK STATE
CLEAN WATER STATE REVOLVING FUND
FEDERAL FISCAL YEAR 2010
CAPITALIZATION GRANT APPLICATION**

SEPTEMBER 30, 2009

**PREPARED FOR:
U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION II OFFICE
OFFICE OF POLICY AND MANAGEMENT
GRANTS AND CONTRACTS MANAGEMENT BRANCH
290 BROADWAY, 27TH FLOOR
NEW YORK, NEW YORK 10007-1866**

SUBMITTED BY:



STATE OF NEW YORK



**DEPARTMENT OF
ENVIRONMENTAL CONSERVATION
Alexander B. Grannis, Commissioner**



**ENVIRONMENTAL FACILITIES CORPORATION
Matthew Millea, Acting President**

**NEW YORK STATE CLEAN WATER STATE REVOLVING FUND
FEDERAL FFY 2010 CAPITALIZATION GRANT
CONTENTS**

Federal Capitalization Grant Application Required Forms

- Key Contacts Form (EPA Form 5700-54 and Additional Key Contacts) ✓
- Application for Federal Assistance (SF-424) with original signature (including SF-424A Budget Information and Assurances for Non-Construction Programs (SF-424B)).
- Quality Assurance Requirement Form (PLMG/GRAD 11/94) ✓
- Pre-award Compliance Review Report (EPA Form 4700-4) ✓ *copy to EDO 12/28*
- Clearinghouse Coordination: Evidence of Compliance with Intergovernmental Review (State Agency Notice of Prospective Application for Federal Aid) ✓
- Lobbying and Litigation Certification For Grants and Cooperative Agreements (EPA Form 5700-53) ✓
- Certification Regarding Debarment, Suspension, and Other Responsibility Matters (EPA Form 5700-49) ✓
- Method of Payment ✓

Source of State Match ✓

Attorney General's Certification ✓

Completed Checklist of Application Items to be Submitted ✓

Submitted under separate cover

- FFY 2010 Intended Use Plan (IUP) – Will be sent under separate cover
- Operating Agreement - No changes are proposed for the current approved Operating Agreement effective through December 31, 2014
- MBE/WBE Utilization under Federal Grants, etc. (EPA form 5700-52A) – Submitted under separate cover quarterly as required

*Not yet
Submitted*

12/28/09

FEDERAL CAPITALIZATION GRANT APPLICATION

REQUIRED FORMS



KEY CONTACTS FORM

Authorized Representative: *Original awards and amendments will be sent to this individual for review and acceptance, unless otherwise indicated.*

Name: Nancy Lussier

Title: Director of Management & Budget

Complete Address: NYS Department of Environmental Conservation, Division of Management & Budget
10th Floor, 625 Broadway, Albany, New York 12233

Phone Number: 518-402-9228

Payee: *Individual authorized to accept payments.*

Name: Michael Giovannone

Title: Associate Accountant

Mail Address: NYS Department of Environmental Conservation
625 Broadway, Albany, New York 12233

Phone Number: 518-402-9376

Administrative Contact: *Individual from Sponsored Program Office to contact concerning administrative matters (i.e., indirect cost rate computation, rebudgeting requests etc.)*

Name: Michael Malinoski

Title: Controller & Director of Corporate Operations

Mailing Address: NYS Environmental Facilities Corporation
625 Broadway, Albany, New York 12207-2997

Phone Number: 518-486-9267

FAX Number: 518-486-9233

E-Mail Address: malinoski@nysefc.org

Principal Investigator: *Individual responsible for the technical completion of the proposed work.*

Name: Timothy P. Burns, P.E.

Title: Director of Engineering & Program Management

Mailing Address: NYS Environmental Facilities Corporation
625 Broadway, Albany, New York 12207-2997

Phone Number: 518-402-7396

FAX Number: 518-402-7456

E-Mail Address: burns@nysefc.org

Web URL: _____

ENVIRONMENTAL PROTECTION
 AGENCY REGION 2
 2008 DEC -9 AM 9:55
 GRANTS & CONTRACTS
 MANAGEMENT BRANCH



ADDITIONAL KEY CONTACTS

(Use as many sheets as needed.)

Major Co-Investigators: *Individual responsible for the completion of major portions of the proposed work.*

Name: William A. Brizzell, Jr., P.E.

Title: Program Manager of Technical Support Section

Mailing Address: NYS Environmental Facilities Corporation

625 Broadway, Albany, New York 12207-2997

Phone Number: 518-402-7396

FAX Number: 518-402-7456

E-Mail Address: brizzell@nysefc.org

Web URL: www.nysefc.org

Major Co-Investigators: *Individual responsible for the completion of major portions of the proposed work.*

Name: Kai Earle

Title: MWBE Manager

Mailing Address: NYS Environmental Facilities Corporation

625 Broadway, Albany, New York 12207-2997

Phone Number: 518-402-7396

FAX Number: 518-402-7456

E-Mail Address: earle@nysefc.org

Web URL:

Major Co-Investigators: *Individual responsible for the completion of major portions of the proposed work.*

Name:

Title:

Mailing Address:

Phone Number:

FAX Number:

E-Mail Address:

Web URL:

Application for Federal Assistance SF-424

Version 02

*1. Type of Submission <input type="checkbox"/> Preapplication <input checked="" type="checkbox"/> Application <input type="checkbox"/> Changed/Corrected Application	*2. Type of Application <input type="checkbox"/> New <input checked="" type="checkbox"/> Continuation <input type="checkbox"/> Revision	*If Revision, select appropriate letter(s): * Other (Specify)
---	---	--

*3. Date Received:	4. Application Identifier:
---------------------------	-----------------------------------

5a. Federal Entity Identifier:	*5b. Federal Award Identifier:
---------------------------------------	---------------------------------------

State Use Only:

6. Date Received by State:	7. State Application Identifier:
-----------------------------------	---

8. APPLICANT INFORMATION:

*** a. Legal Name:** NYS Department of Environmental Conservation

* b. Employer/Taxpayer Identification Number (EIN/TIN): 14-6013200	*c. Organizational DUNS: 806780912
--	--

d. Address:

***Street1:** 625 Broadway
Street 2:
***City:** Albany
County: Albany
***State:** New York
Province:
Country: United States

***Zip/ Postal Code:** 12233-5022

ENVIRONMENTAL PROTECTION
 AGENCY, REGION 2
 2009 DEC -9 AM 9:55
 GRANTS & CONTRACTS
 MANAGEMENT BRANCH

e. Organizational Unit:

Department Name: NYS Department of Environmental Conservation	Division Name: Water
---	--------------------------------

f. Name and contact information of person to be contacted on matters involving this application:

Prefix: Mr. **First Name:** Timothy
Middle Name: P.
***Last Name:** Burns
Suffix: P.E.

Title: Director of Engineering and Program Management

Organizational Affiliation:

NYS Environmental Facilities Corporation

*Telephone Number: 518-402-7396	Fax Number: 518-402-7456
--	---------------------------------

***Email:** Burns@nysefc.org

Application for Federal Assistance SF-424

Version 02

9. Type of Applicant 1: Select Applicant Type: A. State Government

Type of Applicant 2: Select Applicant Type:

- Select One -

Type of Applicant 3: Select Applicant Type:

- Select One -

*Other (specify):

*10. Name of Federal Agency:

United States Environmental Protection Agency - Region II

11. Catalog of Federal Domestic Assistance Number:

66-458

CFDA Title:

Capitalization Grant for Clean Water State Revolving Fund

*12. Funding Opportunity Number:

*Title:

13. Competition Identification Number:

Title:

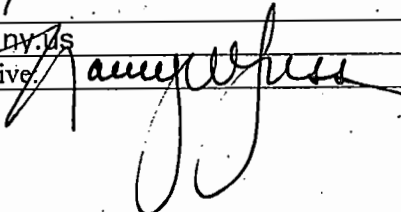
14. Areas Affected by Project (Cities, Counties, States, etc.):

Statewide

*15. Descriptive Title of Applicant's Project:

Capitalization Grant to provide funds for the New York State Clean Water State Revolving Fund Program established pursuant to Title VI of the Clean Water Act.

Attach supporting documents as specified in agency instructions.

Application for Federal Assistance SF-424		Version 02
16. Congressional Districts Of:		
*a. Applicant New York State	*b. Program/Project: New York State	
Attach an additional list of Program/Project Congressional Districts if needed.		
17. Proposed Project:		
*a. Start Date: 10/1/2009	*b. End Date: 9/30/2014	
18. Estimated Funding (\$):		
*a. Federal	\$234,427,200.00	
*b. Applicant		
*c. State	\$46,885,440.00	
*d. Local		
*e. Other		
*f. Program Income		
*g. TOTAL	\$281,312,640.00	
*19. Is Application Subject to Review By State Under Executive Order 12372 Process?		
<input checked="" type="checkbox"/> a. This application was made available to the State under the Executive Order 12372 Process for review on 9/21/09 <input type="checkbox"/> b. Program is subject to E.O. 12372 but has not been selected by the State for review. <input type="checkbox"/> c. Program is not covered by E.O. 12372		
*20. Is the Applicant Delinquent On Any Federal Debt? (If "Yes", provide explanation.)		
<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		
21. *By signing this application, I certify (1) to the statements contained in the list of certifications** and (2) that the statements herein are true, complete and accurate to the best of my knowledge. I also provide the required assurances** and agree to comply with any resulting terms if I accept an award. I am aware that any false, fictitious, or fraudulent statements or claims may subject me to criminal, civil, or administrative penalties. (U.S. Code, Title 218, Section 1001)		
<input checked="" type="checkbox"/> **I AGREE		
** The list of certifications and assurances, or an internet site where you may obtain this list, is contained in the announcement or agency specific instructions.		
Authorized Representative:		
Prefix: Ms.	*First Name: Nancy	
Middle Name: W.		
*Last Name: Lussier		
Suffix:		
*Title: Director of Management and Budget		
*Telephone Number: 518-402-9237		Fax Number: 518-402-9230
*Email: nwlussie@gw.dec.state.ny.us		
*Signature of Authorized Representative: 		Date Signed: NOV 10 2009.

Application for Federal Assistance SF-424

Version 02

***Applicant Federal Debt Delinquency Explanation**

The following field should contain an explanation if the Applicant organization is delinquent on any Federal Debt. Maximum number of characters that can be entered is 4,000. Try and avoid extra spaces and carriage returns to maximize the availability of space.

ASSURANCES – NON-CONSTRUCTION PROGRAMS

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, to the Office of Management and Budget, Paperwork Reduction Project (0348-0042), Washington, DC 20503.

PLEASE DO NOT RETURN YOUR COMPLETED FORM TO THE OFFICE OF MANAGEMENT AND BUDGET. SEND IT TO THE ADDRESS PROVIDED BY THE SPONSORING AGENCY.

NOTE: Certain of these assurances may not be applicable to your project or program. If you have questions, please contact the Awarding Agency. Further, certain Federal assistance awarding agencies may require applicants to certify to additional assurances. If such is the case, you will be notified.

As the duly authorized representative of the applicant, I certify that the applicant:

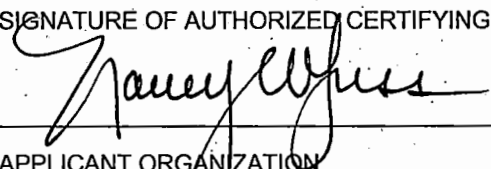
1. Has the legal authority to apply for Federal assistance, and the institutional, managerial and financial capability (including funds sufficient to pay the non-Federal share of the project costs) to ensure proper planning, management and completion of the project described in this application.
2. Will give the awarding agency, the Comptroller General of the United States, and if appropriate, the State, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the award; and will establish a proper accounting system in accordance with generally accepted accounting standards or agency directives.
3. Will establish safeguards to prohibit employees from using their positions for a purpose that constitutes or presents the appearance of personal or organizational conflict of interest, or personal gain.
4. Will initiate and complete the work within the applicable time frame after receipt of approval of the awarding agency.
5. Will comply with the Intergovernmental Personnel Act of 1970 (42 U.S.C. §§ 4728-4763) relating to prescribed standards for merit systems for programs funded under one of the nineteen statutes or regulations specified in Appendix A of OPM's Standards for a Merit System of Personnel Administration (5 C.F.R. 900, Subpart F).
6. Will comply with all Federal statutes relating to nondiscrimination. These include but are not limited to: (a) Title VI of the Civil Rights Act of 1964 (P.L. 88-352) which prohibits discrimination on the basis of sex; (c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. § 795), which prohibits discrimination on the basis of handicaps; (d) the Age Discrimination Act of 1975, as amended (42 U.S.C. §§ 6101-6107), which prohibits discrimination on the basis of age; (e) the Drug Abuse Office and Treatment Act of 1972 (P.L. 92-255), as amended, relating to nondiscrimination on the basis of drug abuse; (f) the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1970 (P.L. 91-616), as amended, relating to nondiscrimination on the basis of alcohol abuse or alcoholism; (g) §§ 523 and 527 of the Public Health Service Act of 1912 (42 U.S.C. 290 dd-3 and 290 ee-3), as amended, relating to confidentiality of alcohol and drug abuse patient records; (h) Title VIII of the Civil Rights Act of 1968 (42 U.S.C. § 3601 et seq.), as amended, relating to nondiscrimination in the sale, rental or financing of housing; (i) any other nondiscrimination provisions in the specific statute(s) under which application for Federal assistance is being made and (j) the requirements of any other nondiscrimination statute(s) which may apply to the application.
7. Will comply, or has already complied, with the requirements of Titles II and III of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (P.L. 91-646) which provide for fair and equitable treatment of persons displaced or whose property is acquired as a result of Federal or federally assisted programs. These requirements apply to all interests in real property acquired for project purposes regardless of Federal participation in purchases.
8. Will comply with the provision of the Hatch Act (5 U.S.C. §§ 1501-1508 and 7324-7328) which limit the political activities of employees whose principal employment activities are funded in whole or in part with Federal funds.
9. Will comply, as applicable, with the provisions of the Davis-Bacon Act (40 U.S.C. §§ 276a-7), the Copeland Act (40 U.S.C. §§ 874), and the Contract Work Hours and Safety Standards Act

(40 U.S.C. §§ 327-333), regarding labor standards for federally assisted construction subagreements.

10. Will comply, if applicable, with flood insurance purchase requirements of Section 102(a) of the Flood Disaster Protection Act of 1973 (P.L. 93-234) which requires recipients in a special flood hazard area to participate in the program and to purchase flood insurance if the total cost of insurable construction and acquisition is \$10,000 or more.
11. Will comply with environmental standards which may be prescribed to the following: (a) institution of environmental quality control measures under the National Environmental Policy Act of 1969 (P.L. 91-190) and Executive Order (EO) 11514; (b) notification of violating facilities pursuant to EO 11738; (c) protection of wetlands pursuant to EO 11990; (d) evaluation of flood hazards in floodplain in accordance with EO 11988; (e) assurance of project consistency with the approved State management program developed under the Coastal Zone Management Act of 1972 (16 U.S.C. §§ 1451 et seq.); (f) conformity of Federal actions to State (Clear Air) Implementation Plans under Section 176(c) of the Clear Air Act of 1955, as amended (42 U.S.C. § 7401 et seq.); (g) protection of underground sources of drinking water under the Safe Drinking Water Act of 1974, as amended, (P.L. 93-523); and (h) protection of endangered species under the Endangered Species Act of 1973, as amended (P.L. 93-205).
12. Will comply with the Wild and Scenic Rivers Act of 1968 (16 U.S.C. §§ 1271 et seq.) related to protecting components or potential

components of the national wild and scenic rivers system.

13. Will assist the awarding agency in assuring compliance with Section 106 of the National Historic Preservation Act of 1966, as amended (16 U.S.C. 470), EO 11593 (identification and protection of historic properties), and the Archaeological and Historic Preservation Act of 1974 (16 U.S.C. 469a-1 et seq.)
14. Will comply with P.L. 93-348 regarding the protection of human subjects involved in research, development, and related activities supported by this award of assistance.
15. Will comply with the Laboratory Animal Welfare Act of 1966 (P.L. 89-544, as amended, 7 U.S.C. 2131 et seq.) pertaining to the care, handling, and treatment of warm blooded animals held for research, teaching, or other activities supported by this award of assistance.
16. Will comply with the Lead-Based Paint Poisoning Prevention Act (42 U.S.C. §§ 4801 et seq.) which prohibits the use of lead based paint in construction or rehabilitation of residence structures.
17. Will cause to be performed the required financial and compliance audits in accordance with the Single Audit Act of 1984.
18. Will comply with all applicable requirements of all other Federal laws, executive orders, regulations and policies governing this program.

SIGNATURE OF AUTHORIZED CERTIFYING OFFICIAL 	TITLE Director of Management and Budget
APPLICANT ORGANIZATION New York State Department of Environmental Conservation	DATE SUBMITTED NOV 10 2009

QUALITY ASSURANCE REQUIREMENT FORM
40 CFR 30.54 and 31.45

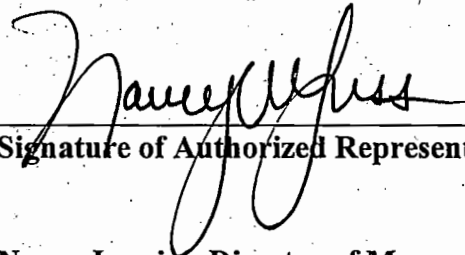
X This Program/Project does NOT involve environmentally related measurements or data generation, or

 This Program/Project DOES include environmentally related measurements or data generation. Environmentally related measurements or data generation deals solely with analytical data (pH, metals, BODs, pesticides, etc.) that are collected and analyzed in the field or laboratory. A Quality Assurance Plan which meets the requirements of the above applicable federal regulation:

- ☐ *has been prepared for this project and IS ATTACHED.*
- ☐ *was previously reviewed and formally approved by the U.S. EPA on _____, and is still current and applicable. (Current is defined as less than three (3) years old).*
- ☐ *is being prepared and will be forwarded to the U.S. EPA upon completion. Applicant understands this requirement is a condition for award of the grant/cooperative agreement.*

NOV 10 2009

Date


Signature of Authorized Representative

Nancy Lussier, Director of Management and Budget
Typed Name & Title of Authorized Representative

New York State Department of Environmental Conservation
Typed Name of Applicant Organization

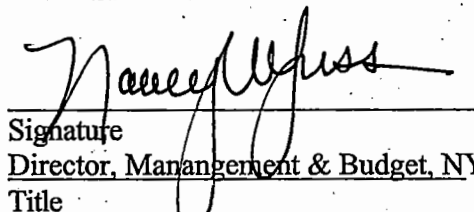
AREAWIDE REVIEWING AGENCIES:

GALBANY, RENNELAER, SCHENECTADY, SARATOGA	GGENESSE, LIVINGTON, MONROE, ONTARIO, ORLEANS, SENECA, WAYNE, YATES, WYOMING	GULSTER
GBROOME, CHENANGO, CORTLAND, DELAWARE, OTSEGO, SCHOHARIE, TIOGA, TOMPKINS	GJEFFERSON	GWESTCHESTER
GCHAUTAUQUA, CATTARAUGUS, ALLEGANY	GORANGE	GALL COUNTIES
GCHEMUNG, SCHUYLER, STEUBEN	GOSWEGO, ONONDAGA, MADISON, CAYUGA	GNO APPLICABLE COUNTIES REVIEWING AGENCIES
GERIE, NIAGARA	GPUTNAM	
GFRANKLIN	GROCKLAND	

The undersigned certifies that an **APPLICATION REVIEW PACKAGE** consisting of the items checked below has been sent to the required Reviewing Agencies for review.

- (1) **FEDERAL FORM 424 (Box 16 must be completed)**
- (2) **PROJECT SUMMARY DESCRIBING PROPOSED ACTIVITIES**
- (3) **CERTIFICATION OF DISTRIBUTION OF APPLICATION REVIEW PACKAGE**
- (4) **SITE LOCATION MAP (For construction projects only)**
- (5) **PROJECT INFORMATION FORM (For construction projects only)**

**THIS APPLICATION REVIEW PACKAGE WILL NOT BE PROCESSED
UNLESS THIS FORM IS SIGNED AND DATED BELOW.**


 Signature
 Director, Management & Budget, NYSDEC
 Title

NOV 10 2009
 Date Signed

METHOD OF PAYMENT

☒ Automated Standard Application for Payments (ASAP)

January 2010 or upon grant award

\$234,427,200

SOURCE OF STATE MATCH

NEW YORK STATE CLEAN WATER CAPITAL BUDGET

SFY	AMOUNT APPROPRIATED	CUMULATIVE
89-90 through 20-03	\$462,613,000	
03-04	\$30,174,000	\$492,787,000
04-05	\$28,893,000	\$521,680,000
05-06	\$29,602,000	\$551,282,000
06-07	\$29,600,000	\$580,882,000
07-08	\$29,600,000	\$610,482,000
08-09	\$29,600,000	\$640,082,000
09-10	<u>\$29,600,000</u>	\$669,682,000
	\$669,682,000	

REQUIRED STATE MATCH (@ 20%)

FFY	FEDERAL GRANT	STATE MATCH
89-90 through 20-03	\$2,309,586,281	\$461,917,255
03-04	\$146,280,420	\$29,256,084
04-05	\$118,939,293	\$23,787,859
05-06	\$96,656,373	\$19,331,275
06-07	\$118,135,611	\$23,627,122
07-08	\$75,108,221	\$15,021,644
08-09	\$75,109,023	\$15,021,805
09-10	<u>\$234,427,200</u>	<u>\$46,885,440</u>
	\$3,174,242,422	\$634,848,484

SFY State fiscal year = April 1 to March 31

FFY Federal fiscal year = October 1 to September 30



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

ANDREW M. CUOMO
ATTORNEY GENERAL

BARBARA D. UNDERWOOD
SOLICITOR GENERAL

October 23, 2009

Alexander B. Grannis
Commissioner
New York State Department of
Environmental Conservation
625 Broadway
Albany, New York 12233-1010

RE: State Revolving Fund Program
Attorney General's Certification

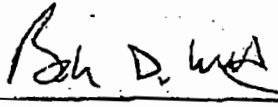
Dear Commissioner Grannis:

Reference is hereby made to the Attorney General's certification made with respect to the State Revolving Fund Program and contained in our letter of February 26, 1990 to your predecessor, Commissioner Jorling. Such letter is incorporated herein in full by this reference. As of the date hereof, and after review of such matters as members of my staff have deemed relevant, including amendments to the State's implementing legislation and the hereinafter referenced Attachment 8, the Attorney General recertifies the matters certified in paragraphs (1), (2) and (3) of the February 26, 1990 letter. With respect to the certification contained in paragraph (3) thereof, reference is also made to the letter dated October 19, 2009 from the General Counsel of the Department of Environmental Conservation (the "Department") and to Attachment 8, as amended to the date hereof, to the Operating Agreement for Implementing and Managing the New York State Water Pollution Control Revolving Fund, between the Department and EPA.

Very truly yours,

ANDREW M. CUOMO
Attorney General

By:


BARBARA D. UNDERWOOD
Solicitor General

CHECKLIST OF APPLICATION ITEMS TO BE SUBMITTED

After you have completed your application, narrative description, and other required forms, please review this application checklist to ensure that all required documents have been completed for submittal.

- ☒ **KEY CONTACTS LIST**
- ☒ **APPLICATION FOR FEDERAL ASSISTANCE (SF-424) WITH ORIGINAL SIGNATURES**
(Including SF-424A Budget Information and Assurances for Non-Construction Programs SF-424B) ORIGINAL AND ONE COPY
- ☒ **ITEMIZED BUDGET (Detailed)**
- ☒ **QUALITY ASSURANCE REQUIREMENT FORM**
- ☒ **ASSURANCES - NON-CONSTRUCTION PROGRAMS**
- ☒ **EPA Form 4700-4 Pre award Compliance Review Report For All Applicants Requesting Federal Financial Assistance (Civil Rights Form) EEO contact Dana Williams (212) 637-3531**
- N/A **NARRATIVE STATEMENT/WORKPLAN** (Including statement on how this project supports your environmental program)
- ☒ **EVIDENCE OF COMPLIANCE WITH INTERGOVERNMENTAL REVIEW**
- N/A **DATA ON PAST GRANTS EXPERIENCE/FINANCIAL ADMINISTRATION** (for applicants new to EPA REGION II, e.g. Audit Reports, Narrative Description of Past Grants with the Federal Government, and the Federal Agency Contact for the Single Audit Requirement)
- N/A **BIOGRAPHICAL SKETCH OF THE PROJECT MANAGER** (for applicants other than State, local government and Indian Tribes)
- ☒ **CERTIFICATION REGARDING LOBBYING/DISCLOSURE OF LOBBYING ACTIVITIES**
- N/A **CERTIFICATION OF TAX STATUS IF YOU ARE A NON-PROFIT OR NOT-FOR-PROFIT ORGANIZATION** (for 501(c)(3) and (4) organizations, please attach copy of your most current IRS determination letter).
- ☒ **5700-49 CERTIFICATION REGARDING DEBARMENT AND SUSPENSION**
- ☒ **METHOD OF PAYMENT**
- N/A **INDIRECT COSTS RATE AGREEMENT (OR COST ALLOCATION PLAN)**

ADDITIONAL ITEMS SENT UNDER SEPARATE COVER

FFY 2010 Intended Use Plan (IUP)

To be forwarded under separate cover

Operating Agreement

No changes are proposed for the current approved Operating Agreement effective through December 31, 2014.

MBE/WBE Utilization under Federal Grants, etc.

Submitted under separate cover quarterly as required



Yvette

Department of Planning
175 Arsenal Street
Watertown, NY 13601

Donald R. Canfield
Director of Planning

(315) 785-3144
(315) 785-5092 (Fax)

September 30, 2009

Roch Baamonde, Chief
Grants & Contract Management Branch
USEPA Region 2
290 Broadway
New York, NY 10007-1866

ENVIRONMENTAL PROTECTION
AGENCY, REGION 2
2009 OCT -6 AM 11:4
GRANTS & CONTRACT
MANAGEMENT BRANCH

Re: NYS DEC to US EPA for the 2010 Clean Water Revolving Fund Capitalization,
JCDP File # 2009-44.

Dear Mr. Baamonde:

On September 29, 2009 the Jefferson County Planning Board reviewed the above referenced project at its monthly meeting.

County Planning Board has no comment on this project.

Sincerely,

Andy R. Nevin

Andy R. Nevin, AICP
Senior Planner

ARN



Genesee/Finger Lakes Regional Planning Council

JERRY DAVIS, Chair • JEFFREY R. ADAIR, Vice Chair • ESTHER LEADLEY, Treasurer • DAVID S. ZORN, Executive Director

YVETTE

September 28, 2009

Roch Baamonde
Grants & Contracts Mgt.
USEPA - Region II
290 Broadway, 27th Floor
New York, New York 10007

Re: Receipt Of Letter Of Intent For Intergovernmental Project Review

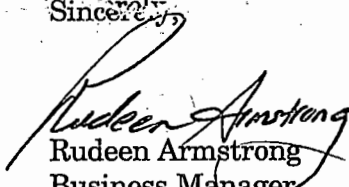
Dear Mr. Baamonde:

The Genesee/Finger Lakes Regional Planning Council has received your project submission as noted below for Areawide Clearinghouse review.

Project Number: 93-2009
Location: Regional Concern
Name: 2010 Clean Water State Revolving Fund Capitalization Grant
(\$274,680,000)

Project Notification has been forwarded to the appropriate agency(s) for review and or comment. Should any agency request further information, it will contact your directly. Thank you for complying with our procedures for areawide clearinghouse review.

Sincerely,


Rudeen Armstrong
Business Manager
Ra

COUNTY OF FRANKLIN
INDUSTRIAL DEVELOPMENT AGENCY

10 ELM STREET - SUITE 2
MALONE, NEW YORK 12953
TEL: 518-483-9472
FAX: 518-483-2900

Yvette

MEMO

To: Timothy P. Burns, P.E. - NYSEFC

From: John C. Tubbs, Acting Executive Director *John C. Tubbs*

Date: September 24, 2009

Subject: Project Notification and Review

ENVIRONMENTAL PROTECTION
AGENCY REGION 2
2009 SEP 29 AM 11:52
GRANTS & CONTRACTS
MANAGEMENT BRANCH

Our Project Number: 043-09

Project: 2010 Clean Water State Revolving Fund Capitalization Grant/NYEDEC

Location: Statewide

The County of Franklin Industrial Development Agency, acting as the designated Substate Review Office for Franklin County, has made the following determination regarding the above project:

- ☐ We are satisfied with the proposed project. You may go forward with the submission of your federal funding application.
- ☒ We do not wish to review your proposed project. Please see attached.
- ☐ We wish to schedule a meeting of all concerned parties to resolve the problems brought up during the review process.
- ☐ We have failed to resolve the problems associated with your project and ask that you send us your complete federal funding application for review and comment.
- ☐ After reviewing your notification and/or complete application, we are enclosing our review comments, which must be attached to your federal funding application.

JCT/rmh

CC: Roch Baamonde, USEPA Region 2

R:\IDA\Office\Substate Review\SUB3.DOC

PROMOTING THE ECONOMIC WELL-BEING OF THE CITIZENS OF FRANKLIN COUNTY

**New York State Clean Water State Revolving Fund
Clearinghouse/Review Agency Response**

September 2009

This is in response to the intergovernmental review process regarding the 2009 Clean Water State Revolving Fund (CWSRF) Capitalization Grant application for the New York State to the USEPA.

- ☒ support the application
☐ support the application with attached comments
☐ comments attached

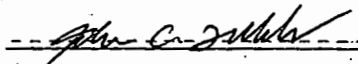
In addition please indicate if you wish to be contacted for future intergovernmental review of CWSRF Capitalization Grant application.

- ☒ We do NOT wish to be contacted for future intergovernmental reviews on this type of application in the future. unless it is specific to Franklin County.
☐ YES, continue to include this clearinghouse in the intergovernmental review process.

9/24/2009
(date)

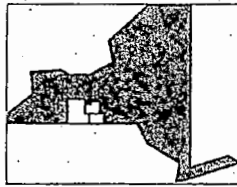
~~RUDEN ANASTONG~~

~~Genesee/Finger Lakes Regional Planning Council~~



John C. Tubbs
Acting Executive Director
Franklin County Industrial
Development Agency
10 Elm Street, suite 2
Malone, NY 12953

Southern Tier Central Regional Planning & Development Board



8 Denison Parkway East
Suite 310
Corning, NY 14830
Tel: 607-962-5092
Fax: 607-962-3400
www.stcplanning.org

E-mail: stcrpdb@stcplanning.org

Marcia D. Weber
Executive Director

STC IGR - 0930

This letter certifies that the Regional Clearinghouse has completed its processing of the project/program indicated below. A copy of this notification should be submitted to the federal funding agency when the grant application is transmitted as evidence of compliance with the Intergovernmental Review Areawide Clearinghouse requirements.

INTERGOVERNMENTAL REVIEW RECOMMENDATIONS

Project Title: 2010 Clean Water State Revolving Fund Capitalization Grant

Applicant: NYSDEC

Date of Clearinghouse Action: October 15, 2009

Reviewer: J. Fais

ENVIRONMENTAL PROTECTION
AGENCY REGION 2
2009 OCT 22 AM 11:39
GRANTS & CONTRACTS
MANAGEMENT BRANCH

☒ **APPROVED** (staff review)

☐ **APPROVED ONLY WITH COMMENTS/CONDITIONS**

☐ **NOT APPROVED**

☐ **NO COMMENT**

Marcia D. Weber
Executive Director



SOUTHERN TIER WEST

Regional Planning & Development Board

James Cooper, Chairman

Donald R. Rychnowski, Executive Director

October 19, 2009

Roch Baamonde, Chief
Grants and Contracts Management Branch
US EPA Region 2
290 Broadway, 27th Floor
New York, New York 10007-1866

RE: 09.44

Reducing GHG Emissions in Region 2 Colleges & Universities

Dear Mr. Baamonde:

In accordance with the Intergovernmental Review Process (Executive Order 12372), the above noted project has been referred to, and reviewed by organizations in the Southern Tier West Region. Any comments received or made by this Areawide Clearinghouse are attached as noted.

Should there be a change in the proposed project, a revised form 424 must be submitted to this office for a new review. If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

Sarah Phearsdorf
Publications Associate

cc: Joseph Cronin, Ph D., Assistant Director, The Office of Research and Sponsored Programs

ENVIRONMENTAL PROTECTION
AGENCY-REGION 2
2009 OCT 22 AM 11:38
GRANTS & CONTRACTS
MANAGEMENT BRANCH



SOUTHERN TIER WEST

Regional Planning & Development Board

James Cooper, Chairman

Donald R. Rychnowski, Executive Director

October 19, 2009

Roch Baamonde, Chief
Grants & Contract Management Branch
US EPA Region 2
290 Broadway
New York, New York 10007-1866

RE: 09.046

Capitalization Grant for Clean Water State Revolving Fund

Dear Mr. Baamonde:

In accordance with the Intergovernmental Review Process (Executive Order 12372), the above noted project has been referred to, and reviewed by organizations in the Southern Tier West Region. Any comments received or made by this Areawide Clearinghouse are attached as noted.

Should there be a change in the proposed project, a revised form 424 must be submitted to this office for a new review. If you have any questions regarding this matter, please feel free to contact me.

Sincerely,

Sarah Phearsdorf
Publications Associate

cc: Timothy P. Burns, PE - NYSEFC

ENVIRONMENTAL PROTECTION
AGENCY, REGION 2
2009 OCT 22 AM 11:38
GRANTS & CONTRACTS
MANAGEMENT BRANCH



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

SEP 1 - 2010

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Agreement No. CS360001-10

Alexander B. Grannis
Commissioner
New York State Department of
Environmental Conservation
625 Broadway
Albany, New York 12233-5022

Attention: Federal Grants

Subject: **Clean Water State Revolving Fund Capitalization Grant Award**
Fiscal Year 2010

Dear Commissioner Grannis:

I am pleased to offer to the New York State Department of Environmental Conservation (NYSDEC) a grant agreement in the amount of \$224,898,000 to continue the capitalization of the New York State Revolving Fund (SRF). This amount represents the total allotment of Fiscal Year 2010 funds available to New York State and is based on your application dated November 10, 2009, as revised July 2010. Additionally, the project/budget period approved for this agreement is December 9, 2009 through September 30, 2014.

Your attention is directed to the terms and conditions contained in the award document, particularly, Programmatic Condition No. 1 which includes the payment schedule for \$224,898,00. Additionally, the FFY 2010 Intended Use Plan (IUP) dated July 2010 is approved.

The enclosed award document is forwarded to you in duplicate. Please sign and date all copies, retain one for your files and return one to this office, Attn: Roch Baamonde, Chief, Grants & Contracts Management Branch. Completed documents must be returned within three calendar weeks after receipt or within any extension of time as may be granted by the USEPA.

We look forward to an early acceptance.

Sincerely,

Donna J. Vizian
Assistant Regional Administrator
for Policy and Management

Enclosures

cc: Nancy Lussier, NYSDEC
Director of Management and Budget

Matthew Driscoll, President
New York State Environmental Facilities Corporation (NYSEFC)

Timothy Burns
New York State Environmental Facilities Corporation (NYSEFC)

William Brizzel
New York State Environmental Facilities Corporation (NYSEFC)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

SEP 1 - 2010

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RETURN RECEIPT REQUESTED

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Albany, New York 12233-5022

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Assistant Regional Administrator
for Policy and Management

Enclosures

cc: Nancy Lussier, NYSDEC
Director of Management and Budget

Matthew Driscoll, President
New York State Environmental Facilities Corporation (NYSEFC)

Timothy Burns
New York State Environmental Facilities Corporation (NYSEFC)

William Brizzel
New York State Environmental Facilities Corporation (NYSEFC)



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 2
290 BROADWAY
NEW YORK, NY 10007-1866

SEP 1 - 2010

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Agreement No. CS360001-10

Alexander B. Grannis
Commissioner
New York State Department of
Environmental Conservation
625 Broadway
Albany, New York 12233-5022

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Fiscal Year 2010

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Donna J. Vizian
Assistant Regional Administrator
for Policy and Management

Enclosures

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Director of Management and Budget

Matthew Driscoll, President
New York State Environmental Facilities Corporation (NYSEFC)

Timothy Burns
New York State Environmental Facilities Corporation (NYSEFC)

William Brizzel
New York State Environmental Facilities Corporation (NYSEFC)

bcc: Timothy Burns, NYSEFC
William Brizzell, NYSEFC
Steve Vida, DEPP-WPB-SRF TEAM
Jane Leu, DEPP-WPB-SRF TEAM
file copy CS360001-10

	U.S. ENVIRONMENTAL PROTECTION AGENCY Grant Agreement		ASSISTANCE ID NO.			DATE OF AWARD 08/25/2010 MAILING DATE 09/01/2010 ACH# 20040	
			PRG	DOC ID	AMEND#		
			CS -	36000110	- 0		
			TYPE OF ACTION				
			New				
RECIPIENT TYPE: State			Send Payment Request to: EPA, Las Vegas Finance Center				
RECIPIENT: NYS Dept of Environmental Conservation 625 Broadway Albany, NY 12233-5010 EIN: 14-6013200			PAYEE: NYS Dept of Environmental Conservation 625 Broadway Albany, NY 12233-5010				
PROJECT MANAGER		EPA PROJECT OFFICER		EPA GRANT SPECIALIST			
Timothy P. Burns, P.E. 625 Broadway Albany, NY 12233-5010 E-Mail: burns@nysefc.org Phone: 518-402-7396		Jane Leu 290 Broadway, DEPP/DO New York, NY 10007-1866 E-Mail: Leu.Jane@epamail.epa.gov Phone: 212-637-3815		Yvette MarCardona Grants and Contracts Mgt Branch, OPM/GCMB E-Mail: MarCardona.Yvette@epamail.epa.gov Phone: 212-637-3409			
PROJECT TITLE AND DESCRIPTION FY10 NY Clean Water SRF Capitalization Grant New York State Department of Environmental Conservation FFY 2010 Clean Water State Revolving Fund Capitalization Grant (NY-CWSRF): This agreement is for a capitalization grant which provides funds for New York's Clean Water State Revolving Fund program to provide low interest financing to recipients for costs associated with the planning, design, and construction of eligible water quality improvement and protection projects throughout the State of New York. The objectives are to establish and manage an effective comprehensive Water Pollution and Control Revolving Funds program and to maintain a self-sustaining revolving fund so as to improve and protect water quality and public health.							
BUDGET PERIOD 12/09/2009 - 09/30/2014		PROJECT PERIOD 12/09/2009 - 09/30/2014		TOTAL BUDGET PERIOD COST \$269,877,600.00			
				TOTAL PROJECT PERIOD COST \$269,877,600.00			
NOTICE OF AWARD Based on your application dated 11/10/2009, including all modifications and amendments, the United States acting by and through the US Environmental Protection Agency (EPA), hereby awards \$224,898,000. EPA agrees to cost-share 83.33% of all approved budget period costs incurred, up to and not exceeding total federal funding of \$224,898,000. Such award may be terminated by EPA without further cause if the recipient fails to provide timely affirmation of the award by signing under the Affirmation of Award section and returning all pages of this agreement to the Grants Management Office listed below within 21 days after receipt, or any extension of time, as may be granted by EPA. This agreement is subject to applicable EPA statutory provisions. The applicable regulatory provisions are 40 CFR Chapter 1, Subchapter B, and all terms and conditions of this agreement and any attachments.							
ISSUING OFFICE (GRANTS MANAGEMENT OFFICE)			AWARD APPROVAL OFFICE				
ORGANIZATION / ADDRESS			ORGANIZATION / ADDRESS				
Grants and Contracts Management Branch 290 Broadway, 27th Floor New York, NY 10007-1866			U.S. EPA, Region 2 Division of Environmental Planning and Protection 290 Broadway New York, NY 10007-1866				
THE UNITED STATES OF AMERICA BY THE U.S. ENVIRONMENTAL PROTECTION AGENCY							
SIGNATURE OF AWARD OFFICIAL		TYPED NAME AND TITLE		DATE			
Digital signature applied by EPA Award Official		Donna J. Vizian, Assistant Regional Administrator for Policy and Management		08/25/2010			
AFFIRMATION OF AWARD							
BY AND ON BEHALF OF THE DESIGNATED RECIPIENT ORGANIZATION							
SIGNATURE		TYPED NAME AND TITLE		DATE			
		Alexander Grannis, Commissioner					

EPA Funding Information

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FUNDS	FORMER AWARD	THIS ACTION	AMENDED TOTAL
EPA Amount This Action	\$	\$ 224,898,000	\$ 224,898,000
EPA In-Kind Amount	\$	\$	\$ 0
Unexpended Prior Year Balance	\$	\$	\$ 0
Other Federal Funds	\$	\$	\$ 0
Recipient Contribution	\$	\$	\$ 0
State Contribution	\$	\$ 44,979,600	\$ 44,979,600
Local Contribution	\$	\$	\$ 0
Other Contribution	\$	\$	\$ 0
Allowable Project Cost	\$ 0	\$ 269,877,600	\$ 269,877,600

Assistance Program (CFDA)	Statutory Authority	Regulatory Authority
66.458 - Capitalization Grants for State Revolving Fund	Clean Water Act: Secs. 205(m) 601-607	40 CFR PTS 31 & 35 SUBPRT K

Fiscal									
Site Name	Req No	FY	Approp. Code	Budget Organization	PRC	Object Class	Site/Project	Cost Organization	Obligation / Deobligation
	1002HE0494	10	E2	022	202B80E	4111	10CA		224,898,000
									224,898,000

Budget Summary Page

Table A - Object Class Category (Non-construction)	Total Approved Allowable Budget Period Cost
1. Personnel	\$0
2. Fringe Benefits	\$0
3. Travel	\$0
4. Equipment	\$0
5. Supplies	\$0
6. Contractual	\$0
7. Construction	\$0
8. Other	\$269,877,600
9. Total Direct Charges	\$269,877,600
10. Indirect Costs: % Base	\$0
11. Total (Share: Recipient <u>16.67</u> % Federal <u>83.33</u> %.)	\$269,877,600
12. Total Approved Assistance Amount	\$224,898,000
13. Program Income	\$0
14. Total EPA Amount Awarded This Action	\$224,898,000
15. Total EPA Amount Awarded To Date	\$224,898,000

Administrative Conditions

1. UTILIZATION OF SMALL, MINORITY AND WOMEN'S BUSINESS ENTERPRISES

GENERAL COMPLIANCE, 40 CFR, Part 33

The recipient agrees to comply with the requirements of EPA's Program for Utilization of Small, Minority and Women's Business Enterprises (MBE/WBE) in procurement under assistance agreements, contained in 40 CFR, Part 33.

FAIR SHARE OBJECTIVES, 40 CFR, Part 33, Subpart D

A recipient must negotiate with the appropriate EPA award official, or his/her designee, fair share objectives for MBE and WBE participation in procurement under the financial assistance agreements.

Current Fair Share Objective/Goal

The dollar amount of this assistance agreement is \$250,000, or more; or the total dollar amount of all of the recipient's non-TAG assistance agreements from EPA in the current fiscal year is \$250,000, or more. The **New York State Department of Environmental Conservation** has negotiated the following, applicable MBE/WBE fair share objectives/goals with EPA as follows:

- for the New York Upstate Region MBE: Construction is 6%; Equipment, Supplies and Services are 8.8%.
- for the New York Upstate Region WBE: Construction is 6%; Equipment, Supplies and Services are 8.8%.
- for the New York City Region MBE: Construction is 21.5%; Equipment, Supplies and Services are 18.8%.
- for the New York City Region WBE: Construction is 13.7%; Equipment, Supplies and Services are 20.5%.

Negotiating Fair Share Objectives/Goals, 40 CFR, Section 33.404

If the recipient has not yet negotiated its MBE/WBE fair share objectives/goals, the recipient agrees to submit proposed MBE/WBE objectives/goals based on an availability analysis, or disparity study, of qualified MBEs and WBEs in their relevant geographic buying market for construction, services, supplies and equipment.

The recipient agrees to submit proposed fair share objectives/goals, together with the supporting availability analysis or disparity study, to the Regional MBE/WBE Coordinator within 120 days of its acceptance of the financial assistance award. EPA will respond to the proposed fair share objective/goals within 30 days of receiving the submission. If proposed fair share objective/goals are not received within the 120 day time frame, the recipient may not expend its EPA funds for procurements until the proposed fair share objective/goals are submitted.

SIX GOOD FAITH EFFORTS, 40 CFR, Part 33, Subpart C

Pursuant to 40 CFR, Section 33.301, the recipient agrees to make the following good faith efforts whenever procuring construction, equipment, services and supplies under an EPA financial assistance agreement, and to ensure that sub-recipients, loan recipients, and prime contractors also comply. Records documenting compliance with the six good faith efforts shall be retained:

- (a) Ensure DBEs are made aware of contracting opportunities to the fullest extent practicable through outreach and recruitment activities. For Indian Tribal, State and Local and Government recipients, this will include placing DBEs on solicitation lists and soliciting them whenever they are potential sources.
- (b) Make information on forthcoming opportunities available to DBEs and arrange time frames for contracts and establish delivery schedules, where the requirements permit, in a way that encourages and facilitates participation by DBEs in the competitive process. This includes,

whenever possible, posting solicitations for bids or proposals for a minimum of 30 calendar days before the bid or proposal closing date.

(c) Consider in the contracting process whether firms competing for large contracts could subcontract with DBEs. For Indian Tribal, State and local Government recipients, this will include dividing total requirements when economically feasible into smaller tasks or quantities to permit maximum participation by DBEs in the competitive process.

(d) Encourage contracting with a consortium of DBEs when a contract is too large for one of these firms to handle individually.

(e) Use the services and assistance of the SBA and the Minority Business Development Agency of the Department of Commerce.

(f) If the prime contractor awards subcontracts, require the prime contractor to take the steps in paragraphs (a) through (e) of this section.

MBE/WBE REPORTING, 40 CFR, Part 33, Sections 33.502 and 55.503

The recipient agrees to complete and submit EPA Form 5700-52A, "MBE/WBE Utilization Under Federal Grants, Cooperative Agreements and Interagency Agreements" beginning with the Federal fiscal year reporting period the recipient receives the award, and continuing until the project is completed. Only procurements with certified MBE/WBEs are counted toward a recipient's MBE/WBE accomplishments.

The reports must be submitted semiannually for the periods ending March 31st and September 30th for:

- Recipients of financial assistance agreements that capitalize revolving loan programs (CWSRF, DWSRF, Brownfields); and
- All other recipients not identified as annual reporters (40 CFR Part 30 and 40 CFR Part 35, Subpart A and Subpart B recipients are annual reporters).

The reports are due within 30 days of the end of the semiannual reporting periods (April 30th and October 30th). Reports should be sent to Michele Junker, the Region 2 DBE Coordinator. Final MBE/WBE reports must be submitted within 90 days after the project period of the grant ends. Your grant cannot be officially closed without all MBE/WBE reports.

EPA Form 5700-52A may be obtained from the EPA Office of Small Business Program's Home Page on the Internet at <http://www.epa.gov/osbp/grants.htm>.

CONTRACT ADMINISTRATION PROVISIONS, 40 CFR, Section 33.302

The recipient agrees to comply with the contract administration provisions of 40 CFR, Section 33.302.

BIDDERS LIST, 40 CFR, Section 33.501(b) and (c)

Recipients of a Continuing Environmental Program Grant or other annual reporting grant, agree to create and maintain a bidders list. Recipients of an EPA financial assistance agreement to capitalize a revolving loan fund also agree to require entities receiving identified loans to create and maintain a bidders list if the recipient of the loan is subject to, or chooses to follow, competitive bidding requirements. Please see 40 CFR, Section 33.501 (b) and (c) for specific requirements and exemptions.

2. FINANCIAL STATUS REPORTS/GRANT CLOSEOUT

A) Interim Federal Financial Reports (FFRs)

Pursuant to 40 CFR 31.41(b) and 31.50(b), EPA recipients shall submit an interim annual Federal Financial Report (SF-425) to EPA no later than 90 calendar days following each anniversary of the start date of the agreement.

B) Final Federal Financial Report

At the end of the project, the recipient must submit a final Federal Financial Report to EPA no later than 90 calendar days after the end of the project period. The form is available on the internet at

<http://www.epa.gov/ocfo/finservices/forms.htm> . All FFRs must be submitted to the Las Vegas Finance Center:

U.S. Environmental Protection Agency
Las Vegas Finance Center
PO Box 98515
Las Vegas, NV 89119

or by Fax to: 702-798-2423.

The LVFC will make adjustments, as necessary, to obligated funds after reviewing and accepting a final Federal Financial Report. Recipients will be notified and instructed by EPA if they must complete any additional forms for the closeout of the assistance agreement.

EPA may take enforcement actions in accordance with 40 CFR 31.43 if the recipient does not comply with this term and condition.

C) Closeout

The Administrative Closeout Phase for this grant will be initiated with the submission of a "final" FFR. At that time, the recipient must submit the following forms/reports to the EPA Region 2 Grants and Contracts Management Branch, if applicable:

- Federally Owned Property Report
- An Inventory of all Property Acquired with federal funds
- Contractor's or Grantee's Invention Disclosure Report (EPA Form 3340-3)

Additionally, the recipient's Final Request for Payment should be submitted to the LVFC.

3. HOTEL-MOTEL FIRE SAFETY

Pursuant to 40 CFR 30.18, if applicable, and 15 USC 2225a, the recipient agrees to ensure that all space for conferences, meetings, conventions, or training seminars funded in whole or in part with federal funds complies with the protection and control guidelines of the Hotel and Motel Fire Safety Act (PL 101-391, as amended). Recipients may search the Hotel-Motel National Master List at <http://www.usfa.dhs.gov/applications/hotel/> to see if a property is in compliance (FEMA ID is currently not required), or to find other information about the Act.

4. MANAGEMENT FEES

Management fees or similar charges in excess of the direct costs and approved indirect rates are not allowable. The term "management fees or similar charges" refers to expenses added to the direct costs in order to accumulate and reserve funds for ongoing business expenses, unforeseen liabilities, or for other similar costs which are not allowable under this assistance agreement. Management fees or similar charges may not be used to improve or expand the project funded under this agreement, except to the extent authorized as a direct cost of carrying out the scope of work.

5. EXTENSION OF PROJECT/BUDGET PERIOD EXPIRATION DATE

If a no cost time extension is necessary to extend the period of availability of funds (budget period), the recipient must submit a written request, including a justification as to why additional time is needed and an estimated date of completion to the EPA, Region 2, Grants and Contracts Management Branch prior to the budget/project period expiration dates. An interim FFR (SF-425), which covers all expenditures and obligations to date, must also be submitted to the Las Vegas Finance Office at the address below.

U.S. Environmental Protection Agency
Las Vegas Finance Center
PO Box 98515
Las Vegas, NV 89119

6. RECYCLING AND WASTE PREVENTION

In accordance with the policies set forth in EPA Order 1000.25 and Executive Order 13423, Strengthening Federal Environmental, Energy and Transportation Management (January 24, 2007) and or 40 CFR 30.16, the recipient agrees to use recycled paper and double sided printing for all reports which are prepared as a part of this agreement and delivered to EPA. This requirement does not apply to reports prepared on forms supplied by EPA, or to Standard Forms, which are printed on recycled paper and are available through the General Services Administration.

STATE AGENCIES AND POLITICAL SUBDIVISIONS:

In accordance with Section 6002 of the Resource Conservation and Recovery Act (RCRA) (42 U.S.C. 6962) any State agency or agency of a political subdivision of a State which is using appropriated Federal funds shall comply with the requirements set forth. Regulations issued under RCRA Section 6002 apply to any acquisition of an item where the purchase price exceeds \$10,000 or where the quantity of such items acquired in the course of the preceding fiscal year was \$10,000 or more. RCRA Section 6002 requires that preference be given in procurement programs to the purchase of specific products containing recycled materials identified in guidelines developed by EPA. These guidelines are listed in 40 CFR 247.

7. SINGLE AUDITS

In accordance with OMB Circular A-133, which implements the single Audit Act, the recipient hereby agrees to obtain a single audit from an independent auditor if it expends \$500,000 or more in total Federal funds in any fiscal year. Within nine months after the end of a recipient's fiscal year or 30 days after receiving the report from the auditor, the recipient shall submit a copy of the SF-SAC and a Single Audit Report Package.

For fiscal periods 2002 to 2007 recipients are to submit hardcopy to the following address:

Federal Audit Clearinghouse
1201 East 10th Street
Jeffersonville, IN 47132

For fiscal periods 2008 and beyond the recipient MUST submit a copy of the SF-SAC and a Single Audit Report Package, using the Federal Audit Clearinghouse's Internet Data Entry System. Complete information on how to accomplish the 2008 and beyond Single Audit Submissions you will need to visit the Federal Audit Clearinghouse Web site: <http://harvester.census.gov/fac/>

8. SUBAWARD POLICY

a. The recipient agrees to:

- (1) Establish all subaward agreements in writing;
 - (2) Maintain primary responsibility for ensuring successful completion of the EPA-approved project (this responsibility cannot be delegated or transferred to a subrecipient);
 - (3) Ensure that any subawards comply with the standards in Section 210(a)-(d) of OMB Circular A-133 and are not used to acquire commercial goods or services for the recipient;
 - (4) Ensure that any subawards are awarded to eligible subrecipients and that proposed subaward costs are necessary, reasonable, and allocable;
 - (5) Ensure that any subawards to 501(c)(4) organizations do not involve lobbying activities;
 - (6) Monitor the performance of their recipients and ensure that they comply with all applicable regulations, statutes, and terms and conditions which flow down in the subaward;
 - (7) Obtain EPA's consent before making a subaward to a foreign or international organization, or a subaward to be performed in a foreign country;
- and

(8) Obtain approval from EPA for any new subaward work that is not outlined in the approved work plan in accordance with 40 CFR Parts 30.25 and 31.30, as applicable.

- b. Any questions about subrecipient eligibility or other issues pertaining to subawards should be addressed to the recipient's EPA Project Officer. Additional information regarding subawards may be found at <http://www.epa.gov/ogd/guide/subaward-policy-part-2.pdf>. Guidance for distinguishing between vendor and subrecipient relationships and ensuring compliance with Section 210(a)-(d) of OMB Circular A-133 can be found at <http://www.epa.gov/ogd/guide/subawards-appendix-b.pdf> and <http://www.whitehouse.gov/omb/circulars/a133/a133.html>.
- c. The recipient is responsible for selecting its subrecipients and, if applicable, for conducting subaward competitions.

9. SUSPENSION AND DEBARMENT

Recipient shall fully comply with Subpart C of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Responsibilities of Participants Regarding Transactions (Doing Business with Other Persons)." Recipient is responsible for ensuring that any lower tier covered transaction as described in Subpart B of 2 CFR Part 180 and 2 CFR Part 1532, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Recipient acknowledges that failing to disclose the information as required at 2 CFR 180.335 may result in the delay or negation of this assistance agreement, or pursuance of legal remedies, including suspension and debarment.

Recipient may access the Excluded Parties List System at www.epls.gov. This term and condition supersedes EPA Form 5700-49, "Certification Regarding Debarment, Suspension, and Other Responsibility Matters."

10. TRAFFICKING VICTIM PROTECTION ACT OF 2000

To implement requirements of Section 106 of the Trafficking Victims Protection Act of 2000, as amended, the following provisions apply to this award:

- a. We, as the Federal awarding agency may unilaterally terminate this award, without penalty, if a subrecipient that is a private entity: (1) is determined to have violated an applicable prohibition in the Prohibition Statement below; or (2) has an employee who is determined by the agency official authorized to terminate the award to have violated an applicable prohibition in the Prohibition Statement below through conduct that is either: (a) associated with performance under this award; or (b) imputed to the subrecipient using the standards and due process for imputing the conduct of an individual to an organization that are provided in 2 CFR part 180, "OMB Guidelines to Agencies on Governmentwide Debarment and Suspension (Nonprocurement)," as implemented by our agency at 2 CFR part 1532. You must inform us immediately of any information you receive from any source alleging a violation of a prohibition in the Prohibition Statement below.
- b. Our right to terminate unilaterally that is described in paragraph a of this award term: (1) implements section 106(g) of the Trafficking Victims Protection Act of 2000 (TVPA), as amended (22 U.S.C. 7104(g)), and (2) is in addition to all other remedies for noncompliance that are available to us under this award.
- c. You must include the requirements of the Prohibition Statement below in any subaward you make to a private entity.

Prohibition Statement - You as the recipient, your employees, subrecipients under this award, and subrecipients' employees may not engage in severe forms of trafficking in persons during the period of time that the award is in effect; procure a commercial sex act during the period of time that the award is in effect; or use forced labor in the performance of the award or subawards under the award.

11. DRUG-FREE WORKPLACE CERTIFICATION

The recipient organization of this EPA assistance agreement must make an ongoing, good faith effort to maintain a drug-free workplace pursuant to the specific requirements set forth in Title 40 CFR 36.200 - 36.230. Additionally, in accordance with these regulations, the recipient organization must identify all known workplaces under its federal awards, and keep this information on file during the performance of the award.

Those recipients who are individuals must comply with the drug-free provisions set forth in Title 40 CFR 36.300.

The consequences for violating this condition are detailed under Title 40 CFR 36.510. Recipients can access the Code of Federal Regulations (CFR) Title 40 Part 36 at http://www.access.gpo.gov/nara/cfr/waisidx_06/40cfr36_06.html

12. REIMBURSEMENT LIMITATION

EPA's financial obligations to the recipient are limited by the amount of federal funding awarded to date as shown on line 15 in its EPA approved budget. If the recipient incurs costs in anticipation of receiving additional funds from EPA, it does so at its own risk.

13. LOBBYING AND LITIGATION

The chief executive officer of this recipient agency shall ensure that no grant funds awarded under this assistance agreement are used to engage in lobbying of the Federal Government or in litigation against the United States unless authorized under existing law. The recipient shall abide by its respective OMB Circular (A-21, A-87, or A-122), which prohibits the use of federal grant funds for litigation against the United States or for lobbying or other political activities.

RESTRICTIONS ON LOBBYING

The recipient agrees to comply with Title 40 CFR Part 34, *New Restrictions on Lobbying*. The recipient shall include the language of this provision in award documents for all subawards exceeding \$100,000, and require that subrecipients submit certification and disclosure forms accordingly.

In accordance with the Byrd Anti-Lobbying Amendment, any recipient who makes a prohibited expenditure under Title 40 CFR Part 34 or fails to file the required certification or lobbying forms shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such expenditure.

14. ASSOCIATION OF COMMUNITY ORGANIZATIONS FOR REFORM NOW (ACORN)

Congress has prohibited EPA from using its FY 2010 appropriations to provide funds to the Association of Community Organizations for Reform Now (ACORN) or any of its subsidiaries. None of the funds provided under this agreement may be used for subawards/subgrants or contracts to ACORN or its subsidiaries. Recipients should direct any questions about this prohibition to their EPA Grants Management Office.

15. ADVANCE METHOD OF PAYMENT

In accordance with EPA regulations, the recipient is authorized to receive advance payments under this agreement, provided that the recipient takes action to minimize the time elapsing between the transfer of funds from EPA and the disbursement of those funds. The recipient shall request Federal payments by completing the EPA Payment Requests Form (EPA Form 190-F-04-001) and faxing it to the Las Vegas Finance Center at 702-798-2423. This form can be found at www.epa.gov/ogd/forms/forms.htm.

Programmatic Conditions

1. AUTOMATED STANDARD APPLICATION FOR PAYMENTS (ASAP)

The New York State Department of Environmental Conservation (NYSDEC), acting on behalf of the State of New York, agrees to accept payment from the United States Environmental Protection Agency (EPA) with funds to be made available from the FY 2010 Title VI allotment pursuant to the Clean Water Act, as amended, (the Act), in accordance with the below payment schedule established under Section 601(b) of the Act and will deposit all such payments into the State Revolving Fund (SRF) in accordance with Title VI. Payments, cash draws and disbursements are defined and in accordance with the Initial Guidance for the State Revolving Fund pursuant to 40 CFR Part 35 Subpart K and the Operating Agreement.

As per EPA's publication, EPA 430/09-88-009, dated July 1988, entitled, "Letter of Credit, How is it Used in EPA's State Revolving Fund Program", a payment in the SRF Program is an action by EPA to increase the amount of funds available for cash draw in the Letter of Credit (i.e. the ceiling). Through a payment, the EPA makes funds available to the State up to the amount of the capitalization grant. A payment is not a transfer of cash to the State but only an authorization making funds available for transfer to the State when a cash draw request is submitted. A payment schedule, indicating the timing and size of the payment or payments to be made will be entered into between EPA and the State. It will be based on the State's projection of binding commitments, the rules for cash draws and the use of the funds.

In consideration of the above, payment from the ASAP shall be made in accordance with the following schedule. Future cash draws may not exceed the amount shown below:

\$6,926,300 (Administration)**

August, 2010*

\$217,971,700 (projects)**

August, 2010*

*** Upon receipt and acceptance of Grant Agreement.**

****Administration Costs:** Under Section 603(d)(7), money in the SRF maybe used for the reasonable costs of administering the Fund, provided that the amount does not exceed 4% of all grant awards to such fund under this title. Under this agreement, total Administration costs requested are \$6,926,300 of NYSDEC's allowable 4% of Administration costs of \$8,995,920. These administrative costs will be passed through to the NYS Environmental Facilities Corporation, which will be administering the SRF under a subaward. The remaining \$2,069,620, is currently applied to the Project costs, increasing project funds from \$215,902,080 to \$217,971,700, while banking this amount for future years' use under the Administration costs. "Project funds" available for the year that NYSDEC requests use of the "banked Administration costs," will be reduced accordingly to cover the "banked Administration costs."

2. CASH DRAW REQUIREMENTS

The NYSDEC agrees to the following conditions in accepting this Grant Agreement under the ASAP method of financing:

- (a) Cash draws made pursuant to 40 CFR 35.3160(b)(2) must be disbursed to refinancing recipients within three days of OSC cash draw.
- (b) All other cash draws will be made only to meet immediate disbursement needs. The three day disbursement requirement is in accordance with the ASAP Payment System.
- (c) NYSDEC shall provide timely reporting of cash disbursements and balances as required by the ASAP Manual.

3. GENERAL ADMINISTRATIVE REQUIREMENTS

NYSDEC and NYSEFC agrees pursuant to 40 CFR Part 35, Subpart K, to administer the State Revolving Fund program in accordance with the terms, agreements, assurances and representations made within the Operation Agreement, the Intended Use Plan and the original application for Federal assistance dated November 10, 2009, as revised on July, 2010. The scopes of work for this Grant shall be the projects listed in the FY 2010 Intended Use Plan dated September 2009, as amended April 2010.

4. PROGRAM INCOME/ADMINISTRATIVE FEES

In accordance with 40 CFR §31.25(g)(2), the recipient is authorized to add program income generated under this agreement to the funds committed to the grant agreement by EPA and the grantee. Fees classified as program income are authorized to be used for eligible CWSRF project assistance, administration of the CWSRF program and for State Match. In addition to the purposes authorized for program income fees, fees classified as non-program income may be used for various general water quality program purposes. All fees shall be audited annually and reported on in both the Intended Use Plan and the Annual Report.

5. STATE MATCH

In accordance with 40 CFR §35.3135(b), NYSDEC shall provide at least 20 percent matching share, or **\$44,979,600**, of the Federal funds awarded. The NYSDEC must provide its proportional cash match at the time it draws Federal funds unless NYSDEC draws all of its match fund before drawing any Federal funds.

6. PURCHASE OF COMPUTER SOFTWARE AND HARDWARE

New York State Department of Environmental Conservation (NYSDEC) and the New York State Environmental Facilities Corporation (NYSEFC) shall not incur any costs, *with a unit cost in excess of \$5,000*, associated with the purchase of computer software or hardware under this agreement until the required specifications and justifications for such equipment are submitted to and approved by the EPA Project Officer and EPA Region 2's Information Systems Branch.

7. DISPOSITION OF EQUIPMENT AND SUPPLIES

NYSDEC and NYSEFC shall comply with the disposition of any equipment approved under this grant in accordance with 40 CFR 31.32.

8. PRE-AWARD COSTS

In accordance with 40 CFR § 35.113, NYSDEC and NYSEFC may charge pre-award costs (both Federal and non-Federal matching shares) incurred from the beginning of the funding period established in the grant agreement (**12/9/2009**) provided that such costs were contained in the approved application. The pre-award costs must be in conformance with the requirements set forth in OMB Circular A-87 and with applicable Agency regulations, policies and guidelines.

9. PAYMENT TO INDIVIDUAL CONSULTANTS

EPA participation in the salary rate (excluding overhead) paid to individual consultants retained by recipients or by a recipient's contractors or subcontractors shall be limited to the maximum daily rate for a Level IV of the Executive Schedule (formerly GS-18), to be adjusted annually. This limit applies to consultation services of designated individuals with specialized skills who are paid at a daily or hourly rate. As of January 1, 2010, the limit is \$596.00 per day and \$74.50 per hour. This rate does not include transportation and subsistence costs for travel performed (the recipient will pay these in accordance with their normal travel reimbursement practices).

Subagreements with firms for services which are awarded using the procurement requirements in 40 CFR 30 or 31, as applicable, are not affected by this limitation unless the terms of the contract provide the recipient with responsibility for the selection, direction, and control of the individuals who will be providing services under the contract at an hourly or daily rate of compensation. See 40 CFR 31.36(j) or 30.27(b).

10. CLEAN WATER NATIONAL INFORMATION MANAGEMENT SYSTEM (CWNIMS)

NYSDEC and NYSEFC agree to enter data, as required by EPA to the Clean Water National Information Management System (CWNIMS). EPA agrees to provide technical assistance to the State in its use of the CWNIMS as a management information system.

1. **Reporting Requirements:** The recipient of funds for the State Revolving Funds from P.L. 111-88, the FY 2010 Interior and Environment Appropriation, agrees to comply with all requests for data related to the use of the funds under Subchapter VI of the Clean Water Act (CWA) or Section 1452 of the Safe Drinking Water Act (SDWA), and to report all uses of the funds no less than quarterly, as EPA specifies for the CWSRF Benefits Reporting database and the Drinking Water Project Benefits Reporting database. This reporting shall include but not be limited to data with respect to compliance with the Green Project Reserve and additional subsidization requirements as specified in the FY 2010 Interior and Environment Appropriation and the Conference Report (H. Rpt. 111-316) and as outlined in the FY 2010 Procedures document, and other data as necessary to carry out the authorities cited in this Grant Condition.
2. **Annual Report Information:** In accordance with 40 CFR 31.40, 40 CFR 35.3165, and 40 CFR 35.3570, the recipient agrees to provide in its Annual Report information regarding key project characteristics, milestones, and environmental/public health protection results in the following areas:
 - a) achievement of the outputs and outcomes established in the Intended Use Plan;
 - b) the reasons for delays if established outputs or outcomes were not met;
 - c) any additional pertinent information on environmental results;
 - d) compliance with the Green Project Reserve requirement as outlined in the FY 2010 procedures document; and
 - e) compliance with the additional subsidization requirement as described in the FY 2010 procedures document.
3. **Additional Subsidies:** The 2010 Appropriation to the CWSRF and DWSRF programs requires that a portion of the capitalization grant funds be used to provide additional subsidization, while relying on the purposes of the Funds in their underlying acts.

The application of the additional subsidies – in the form in which they are authorized in the FY 2010 Appropriation – to the base SRF programs raises important issues for the underlying SRF programs. While the DWSRF program has since its inception offered discretion to States to provide additional subsidization, that authority was closely circumscribed by requirements that communities assisted meet the State's definition of "disadvantaged," and that the subsidies provided in any year could not exceed 30 percent of the capitalization grant. In contrast, the FY 2010 Appropriation is more demanding and expansive. It requires States to provide a minimum of 30 percent in additional subsidies, and authorizes States to provide up to 49.92 percent of the capitalization grant in the CWSRF, and up to the entire amount of the grant in the DWSRF, in additional subsidization to any "eligible recipients" of SRF assistance.

Moreover, the similar provision in ARRA was in a one-time, supplemental appropriation that was in addition to the base SRF program appropriation for FY 2009. The additional subsidization provision in FY 2010 comes in the appropriation for the base SRF programs. By authorizing States to provide up to a majority (CWSRF) or entirety (DWSRF) of the base SRF program capitalization grant in additional subsidies, this FY 2010 provision contemplates the possibility that, for the first time, a minority or none of these base program capitalization grant funds will be repaid into the State Revolving Funds.

Under these circumstances, in which a large amount of base program capitalization grant funds will not revolve, it is prudent to include additional specifications in the capitalization agreements with States that ensure that the subsidies are funding infrastructure that is sustainable (not enabling the expansion of centralized infrastructure to accommodate growth while failing to adequately repair, replace, and upgrade infrastructure in existing communities who are not otherwise able to afford such projects). Section 602(a) of the CWA and section 1452(a)(3)(A)(i) of SDWA gives the authority to add such specifications to the capitalization grant. CWA Section 602(a) specifies that the "State shall enter into an agreement with the Administrator which shall include but not be limited to the specifications set forth in subsection (b)...." SDWA Section 1452(g)(3)(A) authorizes EPA to publish guidance "to ensure that each state commits and expends funds allotted to the State under this section as efficiently as possible." Therefore, EPA is adding a grant condition to all FY 2010 CWSRF and DWSRF capitalization grants.

- a. The recipient agrees to use funds provided by this grant to provide additional subsidization in the form of principal forgiveness, negative interest rate loans, or grants, in accordance with

P.L. 111-88 as follows:

(1) The Clean Water State Revolving Fund capitalization recipient agrees to use at least **\$33,682,584** and no more than **\$112,275,279** of the funds provided by this grant to provide additional subsidization in accordance with P.L. 111-88, and as identified in the attached Office of Water January 15, 2010 memo titled "Availability of FY 2010 Clean Water Act Title VI Funds."

b. Priority for additional subsidies should be given to communities that could not otherwise afford such projects. To further ensure sustainability of projects receiving additional subsidies, these subsidies should be directed to:

- 1) repair, replacement, and upgrade of infrastructure in existing communities;
- 2) investigations, studies, or plans that improve the technical, financial and managerial capacity of the assistance recipient to operate, maintain, and replace financed infrastructure; and/or
- 3) preliminary planning, alternatives assessment and eligible capital projects that reflect the full life cycle costs of infrastructure assets, conservation of natural resources, and alternative approaches to integrate natural or "green" systems into the built environment.

The recipient agrees to provide in its Annual Report an explanation as to how they did or did not address this provision..

4. **Green Project Reserve (GPR):** The recipient agrees to make a timely and concerted solicitation for projects that address green infrastructure, water or energy efficiency improvements or other environmentally innovative activities. The recipient agrees to include in its IUP such qualified projects, or components of projects, that total an amount at least equal to 20% of its capitalization grant, or **\$44,979,600**. If there are not sufficient qualified projects or components already in the IUP that total 20% of the FY2010 funds available, the recipient agrees to conduct additional solicitation, to amend its project list to include any such qualified projects thus identified, and to provide not less than 20% of such FY 2010 funds available to such projects on its amended project list. If there are not sufficient qualified projects or components on the amended project list after such additional solicitation, the recipient may if necessary submit a waiver request to EPA in accordance with the FY 2010 Procedures.

5. Davis Bacon/Wage Rate Requirements:

CWSRF: The recipient agrees to include in all agreements to provide assistance for the construction of treatment works carried out in whole or in part with such assistance made available by a State water pollution control revolving fund as authorized by title VI of the Federal Water Pollution Control Act (33 U.S.C. 1381 et seq.), or with such assistance made available under section 205(m) of that Act (33 U.S.C. 1285(m)), or both, a term and condition requiring compliance with the requirements of section 513 of that Act (33 U.S.C. 1372) in all procurement contracts and sub-grants, and require that loan recipients, procurement contractors and sub-grantees include such a term and condition in subcontracts and other lower tiered transactions. All contracts and subcontracts for the construction of treatment works carried out in whole or in part with assistance made available as stated herein shall insert in full in any contract in excess of \$2,000 the contract clauses as attached hereto entitled "Wage Rate Requirements Under FY 2010 Appropriations." This term and condition applies to all agreements to provide assistance under the authorities referenced herein, whether in the form of a loan, bond purchase, grant, or any other vehicle to provide financing for a project, where such agreements are executed on or after October 30, 2009 and before October 1, 2010.

**New York State Department of Environmental Conservation
Division of Management & Budget Services**

Federal Accounting Unit, 10th Floor

625 Broadway, Albany, New York 12233-5022

Phone: (518) 402-9342 • **FAX:** (518) 402-9023

Website: www.dec.state.ny.us

SEP 29 2010

Ms. Judith Enck
Regional Administrator
U.S. Environmental Protection Agency
Region II Office
290 Broadway
New York, New York 10007-1866

Attention: Mr. Roch Baamonde, Chief
Grants & Contract Management Branch

Re: CS36000110 New York Clean Water State Revolving Fund
Capitalization Grant

Dear Ms. Enck,

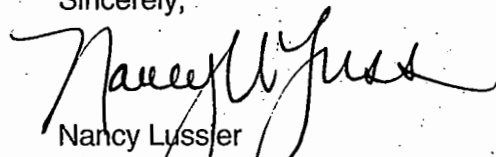
I am pleased to accept the Federal Fiscal Year (FFY) 2010 Capitalization Grant of \$224,898,000 for the New York State Clean Water State Revolving Fund (CWSRF). These moneys will enable the financing of many additional water quality protection projects.

We are requesting that one item included in the capitalization grant be modified through amendment. The grant offer shows the project period as beginning December 9, 2009. We would prefer that the project period begin on October 1, 2009, which coincides with the start of the Federal Fiscal Year. We were granted a similar amendment in FFY 2009 to revise the start of the project period to the start of the federal fiscal year and are requesting the same consideration for FFY 2010.

As instructed, we have executed and dated the two copies provided. One copy has been retained for our records and the remaining copy is enclosed.

Thank you for your cooperation and assistance with the CWSRF Capitalization Grants.

Sincerely,


Nancy Lussler
Director of Management & Budget

Enclosure: a/s

RECEIVED
GRANTS & CONTRACTS
DIVISION OF MANAGEMENT & BUDGET
OCT 13 PM 3:14
ENVIRONMENTAL PROTECTION
AGENCY REGION 2

c: Mr. Alexander Grannis, Commissioner DEC
Mr. Matthew Driscoll, President EFC
Mr. Walter Andrews, USEPA Region II
Mr. Steven Vida, USEPA Region II
Ms. Jane Leu, USEPA Region II



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

JAN 15 2010

OFFICE OF
WATER
CWSRF 10-01

MEMORANDUM

SUBJECT: Availability of FY 2010 Clean Water Act Title VI Funds

TO: Clean Water State Revolving Fund Coordinators
Regions I - X

FROM: George Ames, Chief
State Revolving Fund Branch

Final enacted FY 2010 Clean Water Act Title VI funding is now available with passage of the FY 2010 Appropriations Act. This memorandum provides final state allotments based on the national appropriation of \$2,100,000,000. It is important to note that the formula for allotting CWSRF funds to the States is slightly different compared to previous years. Specifically, the FY 2010 Appropriations Act increases the Indian Tribes Set-Aside from 1.5% to 2.0% and provides an additional 1.2486% of the funds available to the States to American Samoa, Guam, the Commonwealth of the Northern Marianas, and the United States Virgin Islands.

The Appropriations Act also requires that a portion of each capitalization grant be used for additional subsidization and funding green projects. To assist the States, a chart has been included that shows the maximum amount that may be and the minimum amount that must be provided as additional subsidization. The chart also shows the minimum amount that has to go towards green projects. We are also in the process of developing procedures for implementing certain provisions of the FY 2010 Appropriations Act that affect the CWSRF program. We expect that the procedures will be distributed to the Regions and the States shortly.

Payments to the Automated Standard Application for Payments (ASAP) from the FY 2010 allotment begin in the quarter in which the capitalization grant is awarded. All payments must be made no later than eight quarters after the capitalization grant is awarded or the second quarter of FY 2013, whichever is earlier.

If you have any questions, please contact me or Mark Mylin at (202) 564-0607.

Attachment

cc: James Hanlon
Randolph Hill
Sheila Frace
William Anderson
Daniel Malloy

FY 2010 Enacted Final CWSRF Allotments
(\$2,100,000,000)

1/15/2010

	Title VI State Allotment	604(b) Allotment	Allotment Less 604(b)
Region 1	155,510,000	1,555,000	153,955,000
Connecticut	25,213,000	252,000	24,961,000
Maine	15,932,000	159,000	15,773,000
Massachusetts	69,876,000	699,000	69,177,000
New Hampshire	20,567,000	206,000	20,361,000
Rhode Island	13,819,000	138,000	13,681,000
Vermont	10,103,000	101,000	10,002,000
Region 2	344,574,000	3,481,000	341,093,000
New Jersey	84,102,000	841,000	83,261,000
New York	227,170,000	2,272,000	224,898,000
Puerto Rico	26,843,000	268,000	26,575,000
Virgin Islands**	6,459,000	100,000	6,359,000
Region 3	225,709,000	2,257,000	223,452,000
Delaware	10,103,000	101,000	10,002,000
District of Columbia	10,103,000	101,000	10,002,000
Maryland	49,777,000	498,000	49,279,000
Pennsylvania	81,524,000	815,000	80,709,000
Virginia	42,119,000	421,000	41,698,000
West Virginia	32,083,000	321,000	31,762,000
Region 4	260,142,000	2,601,000	257,541,000
Alabama	23,013,000	230,000	22,783,000
Florida	69,471,000	695,000	68,776,000
Georgia	34,797,000	348,000	34,449,000
Kentucky	26,194,000	262,000	25,932,000
Mississippi	18,542,000	185,000	18,357,000
North Carolina	37,144,000	371,000	36,773,000
South Carolina	21,084,000	211,000	20,873,000
Tennessee	29,897,000	299,000	29,598,000
Region 5	440,500,000	4,405,000	436,095,000
Illinois	93,080,000	931,000	92,149,000
Indiana	49,600,000	496,000	49,104,000
Michigan	88,493,000	885,000	87,608,000
Minnesota	37,827,000	378,000	37,449,000
Ohio	115,861,000	1,159,000	114,702,000
Wisconsin	55,639,000	556,000	55,083,000
Region 6	156,884,000	1,569,000	155,315,000
Arkansas	13,463,000	135,000	13,328,000
Louisiana	22,624,000	226,000	22,398,000
New Mexico	10,103,000	101,000	10,002,000
Oklahoma	16,627,000	166,000	16,461,000
Texas	94,067,000	941,000	93,126,000
Region 7	114,012,000	1,141,000	112,871,000
Iowa	27,854,000	279,000	27,575,000
Kansas	18,577,000	186,000	18,391,000
Missouri	57,054,000	571,000	56,483,000
Nebraska	10,527,000	105,000	10,422,000
Region 8	67,719,000	677,000	67,042,000
Colorado	16,463,000	165,000	16,298,000
Montana	10,103,000	101,000	10,002,000
North Dakota	10,103,000	101,000	10,002,000
South Dakota	10,103,000	101,000	10,002,000
Utah	10,844,000	108,000	10,736,000
Wyoming	10,103,000	101,000	10,002,000
Region 9	211,490,000	2,182,000	209,308,000
American Samoa**	11,129,000	111,000	11,018,000
Arizona	13,901,000	139,000	13,762,000
California	147,193,000	1,472,000	145,721,000
Guam**	8,052,000	100,000	7,952,000
Hawaii	15,940,000	159,000	15,781,000
Nevada	10,103,000	101,000	10,002,000
Northern Marianas**	5,172,000	100,000	5,072,000
Pacific Trust Territories	-	-	-
Region 10	81,460,000	814,000	80,646,000
Alaska	12,317,000	123,000	12,194,000
Idaho	10,103,000	101,000	10,002,000
Oregon	23,249,000	232,000	23,017,000
Washington	35,791,000	358,000	35,433,000
State Totals	2,058,000,000	20,682,000	2,037,318,000
Indian Tribes*	42,000,000	-	-
Total All Funds	2,100,000,000	-	-

* For FY 2010, the Indian Tribal Set-Aside has been increased from 1.5% to 2.0%

** For FY 2010, an additional 1.2486% of the funds available to the States has been provided to American Samoa, Guam, Northern Marianas and the Virgin Islands. This increase is reflected in the Title VI State Allotments.

FY 2010 Appropriation: Additional Subsidization and Green Project Reserve Requirements

	FY 2010 Appropriation Capitalization Grant (Allotment Less 604(b))	Additional Subsidization ¹		Green ²
		Minimum Amount that must be provided as Additional Subsidization	Maximum Amount that may be provided as Additional Subsidization	Minimum Amount that must be provided for Green Projects
Region 1				
Connecticut	\$24,961,000	\$3,738,366	\$12,461,219	\$4,992,200
Maine	\$15,773,000	\$2,362,295	\$7,874,316	\$3,154,600
Massachusetts	\$69,177,000	\$10,360,519	\$34,535,065	\$13,835,400
New Hampshire	\$20,361,000	\$3,049,432	\$10,164,772	\$4,072,200
Rhode Island	\$13,681,000	\$2,048,980	\$6,829,932	\$2,736,200
Vermont	\$10,002,000	\$1,497,982	\$4,993,274	\$2,000,400
Region 2				
New Jersey	\$83,261,000	\$12,469,856	\$41,566,186	\$16,652,200
New York	\$224,898,000	\$33,682,584	\$112,275,279	\$44,979,600
Puerto Rico	\$26,575,000	\$3,980,092	\$13,266,972	\$5,315,000
Region 3				
Delaware	\$10,002,000	\$1,497,982	\$4,993,274	\$2,000,400
Maryland	\$49,279,000	\$7,380,430	\$24,601,435	\$9,855,800
Pennsylvania	\$80,709,000	\$12,087,647	\$40,292,157	\$16,141,800
Virginia	\$41,698,000	\$6,245,037	\$20,816,791	\$8,339,600
West Virginia	\$31,762,000	\$4,756,940	\$15,856,466	\$6,352,400
Region 4				
Alabama	\$22,783,000	\$3,412,170	\$11,373,901	\$4,556,600
Florida	\$68,776,000	\$10,300,462	\$34,334,875	\$13,755,200
Georgia	\$34,449,000	\$5,159,367	\$17,197,890	\$6,889,800
Kentucky	\$25,932,000	\$3,883,791	\$12,945,969	\$5,186,400
Mississippi	\$18,357,000	\$2,749,296	\$9,164,320	\$3,671,400
North Carolina	\$36,773,000	\$5,507,429	\$18,358,095	\$7,354,600
South Carolina	\$20,873,000	\$3,126,113	\$10,420,377	\$4,174,600
Tennessee	\$29,598,000	\$4,432,841	\$14,776,137	\$5,919,600
Region 5				
Illinois	\$92,149,000	\$13,800,996	\$46,003,320	\$18,429,800
Indiana	\$49,104,000	\$7,354,221	\$24,514,070	\$9,820,800
Michigan	\$87,608,000	\$13,120,898	\$43,736,328	\$17,521,600
Minnesota	\$37,449,000	\$5,608,672	\$18,695,573	\$7,489,800
Ohio	\$114,702,000	\$17,178,720	\$57,262,399	\$22,940,400
Wisconsin	\$55,083,000	\$8,249,685	\$27,498,952	\$11,016,600
Region 6				
Arkansas	\$13,328,000	\$1,996,111	\$6,653,705	\$2,665,600
Louisiana	\$22,398,000	\$3,354,510	\$11,181,699	\$4,479,600
New Mexico	\$10,002,000	\$1,497,982	\$4,993,274	\$2,000,400
Oklahoma	\$16,461,000	\$2,465,335	\$8,217,785	\$3,292,200
Texas	\$93,126,000	\$13,947,320	\$46,491,066	\$18,625,200
Region 7				
Iowa	\$27,575,000	\$4,129,860	\$13,766,200	\$5,515,000
Kansas	\$18,391,000	\$2,754,388	\$9,181,294	\$3,678,200
Missouri	\$56,483,000	\$8,459,361	\$28,197,870	\$11,296,600
Nebraska	\$10,422,000	\$1,560,885	\$5,202,950	\$2,084,400
Region 8				
Colorado	\$16,298,000	\$2,440,923	\$8,136,411	\$3,259,600
Montana	\$10,002,000	\$1,497,982	\$4,993,274	\$2,000,400
North Dakota	\$10,002,000	\$1,497,982	\$4,993,274	\$2,000,400
South Dakota	\$10,002,000	\$1,497,982	\$4,993,274	\$2,000,400
Utah	\$10,736,000	\$1,607,912	\$5,359,707	\$2,147,200
Wyoming	\$10,002,000	\$1,497,982	\$4,993,274	\$2,000,400
Region 9				
Arizona	\$13,762,000	\$2,061,111	\$6,870,370	\$2,752,400
California	\$145,721,000	\$21,824,382	\$72,747,939	\$29,144,200
Hawaii	\$15,781,000	\$2,363,493	\$7,878,310	\$3,156,200
Nevada	\$10,002,000	\$1,497,982	\$4,993,274	\$2,000,400
Region 10				
Alaska	\$12,194,000	\$1,826,274	\$6,087,581	\$2,438,800
Idaho	\$10,002,000	\$1,497,982	\$4,993,274	\$2,000,400
Oregon	\$23,017,000	\$3,447,216	\$11,490,721	\$4,603,400
Washington	\$35,433,000	\$5,306,739	\$17,689,130	\$7,086,600
Total	\$1,996,915,000	\$299,074,500	\$996,915,000	\$399,383,000
Total Amount Applicable to the Additional Subsidization Requirement	\$996,915,000			

1. The FY 2010 Appropriation Act requires that not less than 30% of the funds made available to each State for CWSRF capitalization grants shall be used by the State to provide additional subsidy to eligible recipients in the form of forgiveness of principal, negative interest loans, or grants. However, this requirement only applies to the portion of the CWSRF capitalization grant appropriation that exceeds \$1 Billion.

2. The FY 2010 Appropriation Act requires that to the extent that there are sufficient eligible projects, not less than 20% of the funds made available to each State for CWSRF capitalization grants shall be used by the State for projects to address green infrastructure, water or energy efficiency improvements, or other environmentally innovative activities.

New York State Environmental Facilities Corporation
Schedule of Personal Service Expense for FY 2010-11
CWSRF Admin PS
6/15/2010

NYS-EFC

Division	FTE	Current Title	Grade	Salary
Legal	1.0	Administrative Assistant II	MC-11	38,754
Finance	1.0	Financial Development Manager	M-2	86,243
Legal	1.0	Assistant General Counsel	M-3	108,243
Corporate Operations	1.0	Accounting Specialist II	MC-16	59,801
Corporate Operations	1.0	Support Services Specialist	MC-16	59,779
Corporate Operations	1.0	Assistant Accounting Manager	MC-23	79,175
Program Management	1.0	Environmental Project Manager	M-1	87,964
Executive	1.0	Assistant Director, Information Technology	M-3	108,243
Finance	1.0	Assistant Financial Development Manager	MC-23	80,552
Corporate Operations	1.0	Budget Analyst	MC-18	61,884
Program Management	1.0	Green Infrastructure Coordinator	M-1	69,591
Corporate Operations	1.0	Accounting Specialist I	MC-14	52,656
Corporate Operations	1.0	Human Resources Specialist II	MC-16	58,357
Finance	1.0	Asst Director of Investments and Financial Services	M-3	108,243
Program Management	1.0	Environmental Project Engineer II	M-1	87,964
Program Management	1.0	SRF Program Services Coordinator	M-1	87,964
Corporate Operations	1.0	Deputy Director of Corporate Operations	M-4	117,002
Legal	1.0	Associate Counsel II	M-2	97,555
Corporate Operations	1.0	Manager, Contracts and Budget	M-2	87,427
Program Management	1.0	Environmental Project Engineer I	MC-23	67,153
Finance	1.0	Deputy Director of Finance	M-4	119,559
Corporate Operations	1.0	Accounting Manager	M-2	97,555
Finance	1.0	Financial Services Assistant	MC-12	44,041
Finance	1.0	Financial Services Analyst	MC-18	61,884
Program Management	1.0	MWBE Representative	MC-18	57,880
Program Management	1.0	Environmental Project Manager	M-1	84,904
Program Management	1.0	Environmental Project Engineer I	MC-23	80,517
Finance	1.0	Finance Coordination Manager	M-1	87,964
Program Management	1.0	Administrative Assistant I	MC-09	40,327
Finance	1.0	Assistant Financial Development Manager	MC-23	78,095
Program Management	1.0	Environmental Project Manager	M-1	87,964
Program Management	1.0	MWBE Manager	M-1	74,779
Program Management	1.0	Senior Administrative Assistant	MC-15	55,501
Finance	1.0	Debt Service Analyst	MC-18	57,880
Finance	1.0	Senior Financial Analyst	MC-20	66,469
Corporate Operations	1.0	Administrative Assistant II	MC-11	44,928
Executive	1.0	Senior Network Technology Analyst	MC-23	70,458
Finance	1.0	Assistant Financial Services Manager	MC-23	80,134
Program Management	1.0	Environmental Project Engineer III	M-2	97,555
Executive	1.0	Environmental Project Engineer II	M-1	87,964
Program Management	1.0	Environmental Project Engineer I	MC-23	80,552
Corporate Operations	1.0	Administrative Assistant I	MC-09	37,521
Finance	1.0	Financial Analyst	MC-18	57,880
Program Management	1.0	Environmental Program Manager	M-2	97,555
Executive	1.0	Lead Application Developer	M-2	97,555
Program Management	1.0	Deputy Director of Engineering and Program Management	M-4	114,470
Finance	1.0	Debt Service Analyst	MC-18	59,967
Corporate Operations	1.0	Accounting Specialist I	MC-14	53,906
Program Management	1.0	Environmental Project Manager	M-1	87,964
Finance	1.0	Financial Analyst	MC-18	57,880
Executive	1.0	Administrative Assistant II	MC-11	37,211
Program Management	1.0	Environmental Project Engineer III	M-2	97,555
Legal	1.0	Associate Counsel II	M-2	94,507
Program Management	1.0	Environmental Project Engineer I	MC-23	69,833
Corporate Operations	1.0	Senior Accountant	MC-20	55,223
Corporate Operations	1.0	Controller	M-4	94,740
Finance	1.0	Senior Administrative Assistant	MC-15	44,438
Legal	1.0	Secretary II	MC-15	44,438
Program Management	1.0	Administrative Assistant I	MC-09	31,909
Finance	1.0	Senior Financial Analyst	MC-20	55,223
Corporate Operations	1.0	Principal Account Clerk	MC-14	42,096
Legal	1.0	Senior Counsel II	MC-23	64,473
Executive	1.0	Receptionist	MC-07	28,615
Program Management	1.0	Environmental Project Engineer II	M-1	69,591
Finance	1.0	Financial Analyst	MC-18	49,870
Program Management	1.0	Environmental Project Engineer III	M-2	77,178
Finance	1.0	Financial Services Specialist	MC-14	42,096
Corporate Operations	1.0	Administrative Assistant I	MC-09	31,909
Finance	1.0	Financial Services Analyst	MC-18	49,870
Executive	1.0	Network Technology Analyst	MC-18	49,870
Program Management	1.0	Environmental Project Engineer II	M-1	69,591
Legal	1.0	Associate Counsel II	M-2	77,178
Program Management	1.0	Environmental Engineer II	M-1	69,591

Merit Awards

73 FTE's

TOTAL PERSONAL SERVICE REQUIREMENT

5,173,163

TOTAL PERSONAL SERVICE REQUIRED

5,173,000

TOTAL PERSONAL SERVICE REQUESTED

4,656,000

DIFFERENCE

517,000